

**BUILDING, FIRE, AND RELATED CODES
OF
BALTIMORE CITY**

(Current through July 31, 2006)

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BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY

INTRODUCTORY NOTE

This article comprises the following standards and codes, adopted by Ordinance 02-475 and Ordinance 06-187:

Maryland Building Performance Standards/September 2004
International Building Code/2000
National Electrical Code/1999
National Fuel Gas Code/1999
International Mechanical Code/2000
National Standard Plumbing Code/2001
International Property Maintenance Code/2000
International Fire Code/2000
International Energy Conservation Code/2000

as supplemented, amended, or otherwise modified by the

Baltimore City Building, Fire, and Related Codes/2003 Edition

* * * * *

TRANSITIONS

Ordinance 02-475 became effective January 1, 2003. Sections 5 and 6 of the Ordinance provide for the application to preexisting transactions as follows:

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance and the Building, Fire, and Related Codes adopted by it applies to all building operations for which a permit application is filed on or after the effective date of this Ordinance.

SECTION 6. AND BE IT FURTHER ORDAINED, That, except as expressly provided to the contrary in this Ordinance, any transaction, case, proceeding, investigation, or other matter validly begun before the effective date of this Ordinance and affected by or flowing from any law amended or repealed by this Ordinance, and any right, duty, or interest flowing from any ordinance amended or repealed by this Ordinance, remains valid after the effective date of this Ordinance and may be terminated, completed, enforced, or prosecuted as required or permitted by the prior law as though the amendment or repeal has not occurred. If any change in nomenclature involves a change in name or designation of any City agency or official, the successor agency or official has all the powers and obligations granted the predecessor agency or official.

PART I
MARYLAND BUILDING PERFORMANCE STANDARDS

§ 1-101. State action.

(a) *In general.*

The Maryland Building Performance Standards are adopted and, from time to time, amended by the State Department of Housing and Community Development under State Public Safety Article, Title 12, Subtitle 5.

(b) *Contents.*

As most recently amended, effective September 20, 2004, these Standards consist of:

- (1) the International Building Code (2003 Edition), with certain State modifications [COMAR 05.02.07.04A and B]; and
- (2) The International Residential Code for One- and Two-Family Dwellings (2003 Edition), with certain State modifications [COMAR 05.02.07.04C].

(Ord. 06-187.)

§ 1-102. City adoption.

The Maryland Building Performance Standards are adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the following modifications:

- (1) Baltimore City adopts the International Building Code (2000 Edition);
- (2) in the International Building Code (2000 Edition):
 - (i) incorporate the State modifications indicated in the appropriate chapter, section, or other provision of Part II below; and
 - (ii) add the Baltimore City modifications indicated in the appropriate chapter, section, or other provision of Part II below; and
- (3) the International Residential Code for One- and Two-Family Dwellings is not adopted by Baltimore City.

(Ord. 06-187.)

PART II

INTERNATIONAL BUILDING CODE

§ 2-101. City adoption.

(a) *In general.*

The International Building Code (2000 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part II.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part II refer to the chapter and section numbers of the International Building Code.

§ 2-102. Maryland Building Performance Standards.

The Maryland Building Performance Standards contain certain State modifications to the International Building Code. The State modifications that Baltimore City has adopted are repeated in this Part II, for the user's convenience, in the appropriate chapter, section, or other provision. These State modifications are labeled "MBPS Modification".

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

CHAPTER 1

ADMINISTRATION

{**MBPS Modification** – Note to Chapter 1: Local jurisdictions are responsible for the implementation and enforcement of the Maryland Building Performance Standards. Refer to each local jurisdiction for local amendments to Chapter 1 of the IBC. Each local jurisdiction having authority shall establish . . . implementation and enforcement procedures that include: (a) review and acceptance of appropriate plans; (b) issuance of building permits; (c) inspection of the work authorized by the building permits; and (d) issuance of use and occupancy certificates.}

SECTION 101 GENERAL

101.1 Title. The International Building Code, together with the standards and codes listed in § 101.4, as supplemented, amended, or otherwise modified by these provisions, collectively constitute and are known as the "Building, Fire, and Related Codes of Baltimore City".

101.1.1 References to "this Code". Throughout these provisions and the standards and codes listed in § 101.4, all references to "this Code" refer to the Building, Fire, and Related Codes of Baltimore City.

101.2 Scope. [As in IBC]

Exception: *[IBC Exception Not Adopted]*

Exception: {Per MBPS Modification} Existing buildings undergoing repair, alterations or additions, and change of occupancy must comply with the Maryland Building Rehabilitation Code, set forth in COMAR 05.16.

(Ord. 06-187.)

101.2.1 Appendices {Per MBPS Modification}. The appendices to the International Building Code apply as follows:

101.2.1.1 Appendices Adopted. The provisions of the following appendices are adopted as part of this Code:

- a. Appendix C: “Group U — Agricultural Buildings”.
- b. Appendix F: “Rodent Proofing”.
- c. Appendix G: “Flood Resistant Construction”.
- d. Appendix H: “Signs”.
- e. Appendix I: “Patio Covers”.

101.2.1.2 Appendices Not Adopted. The following appendices are not adopted as part of this Code:

- a. Appendix A: “Employee Qualifications”.
- b. Appendix B: “Board of Appeals”.
- c. Appendix D: “Fire Districts”.
- d. Appendix E: “Supplementary Accessibility Requirements”.
- e. Appendix J: “Supplementary Accessibility Requirements for Qualified Historic Buildings and Facilities”.

101.3 Intent. [As in IBC]

101.4 Referenced codes. The standards and codes listed in this § 101.4, as modified by these provisions and as referred to elsewhere in this Code are part of the requirements of this Code to the extent prescribed by the reference.

101.4.1 Electrical. The National Electrical Code (1999 Edition) applies to the installation of electrical systems, including their alteration, repair, replacement, equipment, appliances, fixtures, fittings, and appurtenances.

101.4.2 Gas. The National Fuel Gas Code (1999 Edition) applies to the installation of gas piping from the point of delivery, to gas appliances, and to related accessories as covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

(Ord. 04-672.)

101.4.3 Mechanical. *[As in IBC]*

101.4.4 Plumbing. The National Standard Plumbing Code (2000 Edition, 2001 Supplement) applies to the erection, installation, alteration, repair, relocation, replacement, use, or maintenance of or addition to plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances.

101.4.5 Property maintenance. *[As in IBC]*

101.4.6 Fire prevention. *[As in IBC]*

101.4.7 Energy. *[As in IBC]*

101.5 State Rehabilitation Code. The Maryland Rehabilitation Code, adopted under State Code Article 83B, § 6-503, and codified in COMAR 05.16, applies to all rehabilitation projects undertaken in existing buildings, as provided in that Code.

(Ord. 04-672.)

101.6 References to former Codes. All references in a violation or condemnation notice or in the Baltimore City Code to any former version of the Building Code or to any provision of that Code are considered to refer to the comparable or otherwise applicable provisions of this Code.

(Ord. 04-672.)

SECTION 102 APPLICABILITY

102.1 - 102.5 *[As in IBC]*

102.6 Existing conditions. Conditions lawfully existing on the effective date of this Code may be continued without change, except as:

- a. specifically provided by this Code (including the standards and codes incorporated in it), or
- b. deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

102.7 Structures owned by City. This Code does not apply to any structure (other than a building) that is owned by the City, to the extent that the structure:

- a. is located on, over, or under a street, alley, or other public way or land, and
- b. is designed, constructed, controlled, and maintained by and under the authority and supervision of the Director of Public Works or an authorized representative of the Director.

102.8 Public service structures on streets. This Code does not apply to any pole, conduit, tunnel, pipe line, manhole, or other similar surface or subsurface structure, including its equipment, that is owned and controlled by a public service corporation, to the extent that:

- a. the structure is located on, over, or under a street, alley, or other public way or land,
- b. its construction is authorized by the City, and
- c. its installation is regulated and supervised by the Director of Public Works or an authorized representative of the Director.

102.9 Property owned or leased by United States or by Maryland. Except as specified in § 102.9.1, land owned by the United States or by the State of Maryland, including any structure owned by either and located on the land, is exempt from this Code.

102.9.1 Exceptions. The following are not exempt from this Code:

- a. land or structures leased by the United States or the State of Maryland from a private owner,
- b. land or structures leased by a private owner from the United States or the State of Maryland, and
- c. land or structures held by the United States or the State of Maryland pursuant to the foreclosure of a residential mortgage.

102.10 Waterways. Other than work done by the United States or the State of Maryland, all construction done along the shoreline and waterways within the City must:

- a. comply with this Code, and
- b. be approved by:
 1. the Department of Public Works,
 2. the Department of Planning,
 3. the Fire Department,
 4. the Maryland Department of the Environment, and
 5. the U.S. Army Corps of Engineers.

102.11 Railroad facilities. Railroad facilities within a railroad right-of-way are exempt from the provisions of this Code, except for those provisions that relate to sanitary maintenance. However, privately owned structures within a right-of-way are not exempt unless they are ancillary to the railroad.

102.12 Moved structures. Structures that are moved into or within Baltimore City:

- a. must comply with the provisions of this Code for new structures, and
- b. may not be used or occupied, in whole or in part, until the Building Official approves an occupancy permit for the structure.

102.13 - 102.14 *{Reserved}*

102.15 Compliance with Code required. No structure, premises, land, or equipment may be constructed, altered, added to, repaired, rehabilitated, demolished, moved, located, used, occupied, or maintained in violation of this Code.

102.16 Compliance with other laws. To the extent applicable, all work must also comply with:

- a. the Critical Area Management Program of Baltimore City,
- b. the Baltimore City Forest and Tree Conservation Program,
- c. the Zoning Code of Baltimore City,
- d. the Department of Public Works rules and regulations governing:
 - 1. storm water management,
 - 2. soil erosion and sediment control,
 - 3. encroachments into the public right-of way, and
 - 4. blasting, and
- e. all other applicable laws of the City and of the State of Maryland.

SECTION 103 DEPARTMENT OF BUILDING SAFETY

103.1 Enforcement agency. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

- a. “Department of Building Safety” or “Department” means the Department of Housing and Community Development, and
- b. “Building Official”, means the Commissioner of Housing and Community Development or an authorized representative of the Commissioner.

103.2 Appointment. *[Not Adopted]*

103.3 Deputies. *[Not Adopted]*

103.4 Employee restrictions. An officer or employee of the Department may not:

- a. engage in or directly or indirectly be connected with the furnishing of labor, materials, or appliances or the preparation of plans or specifications for the construction, alteration,

addition, repair, rehabilitation, demolition, moving, or maintenance of a structure, unless the officer or employee is the owner of the structure, or

- b. engage in any work that conflicts with his or her official duties or with the interests of the Department.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. Except as otherwise specifically provided by law, the Building Official:

- a. administers and enforces all provisions of this Code and the provisions of all other ordinances, laws, or regulations relating to the matters provided for in this Code, and
- b. may act on any question relative to the manner of and the materials to be used in the construction, alteration, addition, repair, rehabilitation, demolition, moving, location, use, occupancy, and maintenance of all structures and in the installation of equipment.

104.1.1 Interpretations, rules, and regulations — In general. The Building Official may:

- a. render interpretations of this Code, and
- b. adopt rules and regulations to carry out this Code.

104.1.2 Interpretations, rules, and regulations — Filing. A copy of all rules and regulations adopted under this Code must be filed with the Department of Legislative Reference.

104.2 - 104.5 [As in IBC]

104.6 Right of entry. In the performance of his or her duties, the Building Official may enter any land, structure, or premises in the City to enforce this Code, at any reasonable time or, in an emergency that might endanger public health or safety, at any time.

104.6.1 Entry without notice or warrant. Neither a search warrant nor prior notice is needed in any of the following circumstances:

- a. if entry is by permission or at the request of an occupant of the land, structure, or premises or a person with apparent right of possession,
- b. if the land, structure, or premises is open and accessible to members of the general public,
- c. if the Building Official reasonably believes that an imminent danger to health or safety exists or might exist, or
- d. immediately after an accident or disaster.

104.6.2 Authority to seek warrant. Where appropriate, the Building Official may seek a search warrant to enter any land, structure, or premises in the City to make an inspection or to take any other authorized action to administer and enforce:

- a. this Code (including the standards and codes incorporated in it), or
- b. any of the following (collectively “related laws”):
 - 1. the Health Code of Baltimore City,
 - 2. the Zoning Code of Baltimore City,
 - 3. an Urban Renewal Plan, or
 - 4. any other related statute, ordinance, or regulation for the protection of the health and safety of the residents of Baltimore City.

104.6.3 Warrant after prior notice. Before the Building Official may apply for a warrant to make a routine inspection or spot check to determine if a violation exists, the Building Official must give prior notice of his or her intent to the occupant or other person with apparent right of possession or, in the case of an unoccupied structure or premises, to the owner, the owner’s agent, or other person in apparent control of the structure or premises.

104.6.3.1 Contents of notice. The notice must:

- a. state the date and time at which the Building Official will be present to make the inspection or spot check, and
- b. inform the person notified that he or she may reschedule the inspection or spot check to a reasonable date and time by contacting the Building Official before the stated date.

104.6.3.2 Service of notice — Occupied property. If the structure or premises is occupied, the notice must be either:

- a. mailed or delivered to the occupant or person with apparent right of possession, or
- b. posted conspicuously at or near the entrance to the structure or premises.

104.6.3.3 Service of notice — Unoccupied property. If the structure or premises is unoccupied, the notice must be mailed or delivered to the last-known address of the owner, agent, or other person in apparent control.

104.6.3.4 Obtaining warrant. After notice has been given, if the person notified fails to arrange for, denies, or unduly delays the entry, the Building Official may apply to a court of competent jurisdiction for a search warrant to authorize entry for the inspection or spot check.

104.6.3.5 Probable cause. Probable cause for a search warrant under this § 104.6.3 exists if:

- a. the notice required by this § 104.6.3 has been given, and
- b. the inspection is either:

1. a spot check made at random or restricted to a few sample structures or premises in a designated area to determine if a building-by-building survey is necessary, or
2. a routine inspection based on a general administrative plan for the enforcement of this Code or any related law.

104.6.4 Warrant without prior notice. The Building Official may apply for a search warrant to enter a structure or premises without giving the prior notice otherwise required by § 104.6.3, if there is probable cause to believe that a violation of this Code or a related law exists in the structure or on the premises.

104.6.4.1 Probable cause. Probable cause for a search warrant under this § 104.6.4 includes, among other appropriate circumstances, the following:

- a. the inspection is to identify lead-based hazards in a dwelling unit that is the last-reported address of a child who, by notice from a health care provider or the State Department of the Environment to the Building Official or the Health Commissioner, is reported to have been diagnosed with a venous blood-lead level of 15 micrograms per deciliter or more, or
- b. untreated lead-based paint hazards have been found in a unit of a multiple-family dwelling in which a child who has been diagnosed with a venous blood-lead level of 15 micrograms per deciliter or more resides and entry is needed to other units of the dwelling to determine compliance with law.

104.6.5 Application for warrant. The application for a search warrant must be:

- a. signed and sworn to by the Building Official, and
- b. accompanied by an affidavit containing facts within the personal knowledge of the affiant:
 1. that probable cause for issuance of a search warrant exists, and
 2. in cases where prior notice is required, that notice has been given and entry has not been arranged for or has been denied or unduly delayed by the person notified.

104.6.6 Contents of warrant. The search warrant must name or describe, with reasonable particularity:

- a. the place to be inspected,
- b. the reason for the inspection, and
- c. the name of the applicant on whose written application the warrant was issued.

104.6.7 Execution of warrant. An inspection under the search warrant must be made within 15 calendar days of the date the warrant was issued. At the end of that 15-day period, the warrant is void.

104.6.8 Dwelling units. Except as provided in § 104.6.8.1, no inspector who gains entrance to a dwelling for the purpose of enforcing this Code or any related law may obtain or furnish evidence of, or testify to, any offense other than violations of this Code or of any related law.

104.6.8.1 Exception. The limitations of § 104.6.8 do not apply to:

- a. a felony, or
- b. a misdemeanor involving an act of violence and committed in the inspector's presence.

104.7 Department records. *[As in IBC]*

104.8 Liability. *[Not Adopted. See State Courts Article § 5-302.]*

104.9 - 104.11 *[As in IBC]*

SECTION 105 PERMITS

105.1 Required. A permit issued by the Building Official is required before any person may:

- a. construct, alter, add to, repair, rehabilitate, demolish, or move any structure,
- b. change the use of any structure or land,
- c. install or alter any equipment subject to this Code,
- d. move a lot line that affects any structure, or
- e. perform any grading or excavating.

105.1.1 Annual permit. *[Not Adopted]*

105.1.2 Annual permit records. *[Not Adopted]*

105.1.3 By whom application to be made. The application for a permit must be made as follows:

- a. for a demolition or moving permit, by the owner of the property to be demolished or moved,
- b. for a permit to remove formstone, paint, or other material from exterior surfaces, by the licensed contractor employed to do the proposed work, and
- c. for all other permits, by:

1. the owner or lessee of the structure,
2. the agent of the owner or lessee, or
3. the licensed engineer or architect employed in connection with the proposed work.

105.1.4 Work done without permit. A person who does any work without a permit or after a permit is revoked for any reason must obtain a permit for that work, even if already completed, and pay the appropriate permit fee and penalty surcharge.
(Ord. 04-805.)

105.2 Work exempt from permit. An exemption from the permit requirements of this Code does not authorize any work to be done in a manner that violates a provision of this Code or of any other law. *[Balance of 105.2 Not Adopted]*

105.2.1 Emergency repairs. *[As in IBC]*

105.2.2 Repairs. *[As in IBC]*

105.2.3 Public service agencies. *[As in IBC]*

105.3 Application for permit. *[As in IBC]*

105.3.1 Identity of parties. The application must state:

- a. the full names and addresses of the owner, lessee, and applicant, and
- b. if the owner or lessee is a corporation, partnership, limited liability company, or other entity, the full names and addresses of its responsible officers, partners, or members.

105.3.2 Action on application. *[As in IBC § 105.3.1]*

105.3.3 Time limitation of application. *[As in IBC § 105.3.2]*

105.3.4 Bond for exterior removal of formstone, paint, etc. An application for a permit to remove formstone, paint, or other material from exterior surfaces must be accompanied by evidence satisfactory to the Building Official that the applicant has obtained a bond to cover the City's expense in the event of a spill or failure to properly dispose of hazardous waste. The bond must be in an amount of at least \$5,000.

105.4 Validity of permit. *[As in IBC]*

105.5 Expiration; extension. Unless an extension is granted, every permit expires and becomes invalid on the expiration date specified on the permit or, if earlier, as provided in this § 105.5.

105.5.1 Expiration – General. Except as specified in § 105.5.2, a permit expires if:

- a. the work authorized by the permit is not begun on the site within 180 days after the permit is issued, or

- b. the work authorized by the permit is abandoned or suspended on the site for 180 days or more.

105.5.2 Expiration – Condemnation, demolition. A permit issued to comply with a condemnation notice served under § 123 of this Code or to comply with a demolition order issued under § 115 of this Code expires if:

- a. the work authorized by the permit is not begun on the site within 30 days after the permit is issued, or
- b. the work authorized by the permit is not completed within 90 days after the permit is issued.

105.5.4 Extensions – General. On a timely written application and for justifiable cause demonstrated, the Building Official may grant 1 or more extensions. Except as specified in § 105.5.5:

- a. the application for an extension must be made within 60 days after the permit expires, and
- b. each extension must be limited to a period of no more than 180 days.

105.5.5 Extensions – Condemnation, demolition. For a permit issued to comply with a condemnation notice or a demolition order:

- a. the application for an extension must be made before the permit expires, and
- b. each extension must be limited to a period of not more than 90 days.

105.5.6 Compliance with violation notice or order. The expiration date of a permit does not in any way extend the time required to comply with a violation notice or order.

105.6 Suspension or revocation. The Building Official may suspend or revoke a permit issued under this Code if:

- a. the work is being done in violation of the permit, of this Code, or of any other applicable law or regulation, or
- b. the permit was issued:
 - 1. in error or on the basis of incorrect, inaccurate, or incomplete information, or
 - 2. in violation of this Code or of any other law or regulation.

105.7 Placement of permit. *[As in IBC]*

105.8 Separate structures. Whenever work is being done on two or more independent structures on the same property, a separate permit is required for each independent structure.

105.9 Notice for demolition or moving. A permit may not be granted for demolishing or moving a structure unless the applicant has given written notice to:

- a. the owners of all properties that immediately adjoin the property subject to demolition or moving, and
- b. the owners of any wired or other facilities that might have to be temporarily removed because of the proposed work.

105.9.1 Contents of notice. The notice must:

- a. indicate the intent to demolish or move the structure, and
- b. specify when the work is expected to begin.

105.10 Required corrections. The issuance of a permit does not prevent the Building Official from later requiring the correction of errors in any plans, drawings, work, or operations.

105.11 - 105.12 {Reserved}

105.13 Inspection registration permits. An inspection registration permit issued by the Building Official is required before any person may use any land or structure for:

- a. a place of public assembly, including any assembly hall, auditorium, bowling lane, dance hall, exhibition hall, motion picture theater, musical hall, night club, opera house, pool parlor, skating rink, sports arena, stadium, or theater, or
- b. any roof tank or roof sign.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Submittal documents. *[As in IBC]*

106.2 Site plan. The construction documents submitted with the application for permit must be accompanied by a site plan that:

- a. shows to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades, and the proposed finished grades,
- b. is drawn in accordance with an accurate boundary line survey, and
- c. comports with all other requirements of this section.

106.2.1 Demolition. In the case of demolition, the site plan must show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot.

106.2.2 Specifications; additional information. The site plan must:

- a. be drawn in accordance with the specifications required by rules or regulations adopted by the Building Official in consultation with the Director of Public Works, and
- b. contain any additional information required by those rules or regulations.

106.2.3 Waiver or modification. The Building Official may waive or modify the requirement for a site plan if the application is for alteration or repair or if otherwise warranted.

106.3 Examination of documents. *[As in IBC]***106.4 Amended construction documents.** *[As in IBC]***106.5 Retention of construction documents.** *[As in IBC]*
(Ord. 06-247.)**SECTION 107 TEMPORARY STRUCTURES AND USES****107.1 In general.** *[As in IBC]***107.2 Conformance.** *[As in IBC]*

107.3 Temporary power. The Building Official may give permission to temporarily supply power to a structure that is not yet complete, as long as all work complies with the requirements of this Code.

107.4 Termination of approval. *[As in IBC]***SECTION 108 FEES**

108.1 Permit fees. A permit for construction, alteration, demolition, moving, or other building operation is not valid unless the fees prescribed in this Code have been paid to the Director of Finance before the permit's issuance, nor is any amendment or extension to a permit valid unless the prescribed additional fee has been paid.

108.2 Other fees. The payment of the fee for all work done concurrently or in connection with the work contemplated by a permit does not relieve the applicant or permit holder from the payment of other fees prescribed by law for water taps, sewer connections, electrical permits, signs and display structures, marquees, or other appurtenant structures, or fees for inspections, occupancy permits, or other privileges or requirements, whether within or without the jurisdiction of the Department.

108.3 Minimum fees and service charges. Fees or service charges for the various permits, certificates, inspections, tests, or other services provided under this Code are as specified in this § 108. Unless otherwise specified, the minimum fee or service charge is \$25. All fees are to be rounded to the nearest dollar.

108.4 Refunds; credits.

108.4.1 Refunds. No fee or other service charge paid for any application, permit, certificate, inspection, test, or other service may be refunded, in whole or in part, except as provided in this § 108.4.1. If no work has been done nor any privilege enjoyed under a permit, certificate, inspection, test, or other service, a refund may be granted of not more than 50% of the fee or service charge paid. In no event, however, may any refund be granted on any fee or charge of less than \$1,000.

108.4.2 Credit for administrative error. If the Building Official revokes a permit because of an administrative error that, through no fault of the applicant, was made in issuing the permit, the applicant may:

- a. apply under § 108.4.1, if applicable, for a partial refund of the fee paid for the revoked permit, or
- b. request that the fee paid for the revoked permit be applied and credited to the fee due for a new permit to replace the one revoked.

(Ord. 04-805.)

108.5 Service charges.

108.5.1 Duplicate or additional documents. The charges for copies or duplicates of permits, certificates, and other documents are:

- a. for photocopies of documents other than approved plans, \$1 for the 1st page and 50¢ for each additional page,
- b. for duplicates of documents other than approved plans, \$10 for each duplicate issued, and
- c. for copies or duplicates of approved plans, \$10 per sheet plus any charge involved in reproducing them, with a minimum charge of \$25.

(Ord. 04-805.)

108.5.2 Partial permits. For a partial permit issued under this Code, the charge is \$10 for each \$1,000 worth of work, with a minimum charge of:

- a. for residential structures, \$100, and
- b. for nonresidential structures, \$250.

108.5.3 Permit extensions. For a permit extension issued under this Code, the charge is as follows:

- a. If the application for extension is made within 30 days after the permit expires, the fee for the extension is \$25.
- b. If the application for extension is made between 30 - 60 days after the permit expires, the fee for the extension is 50% of the original permit fee. Alternatively, the applicant may

apply for a new permit for the work remaining to be completed, with the fee for that permit to be based on the scope of that remaining work.

108.5.4 Permit amendments. For an amendment to a permit, the charge is as follows:

- a. For each amendment that involves work not originally applied for to complete the entire project, the charge is the appropriate fee for the work contemplated plus a surcharge of 10%, with a minimum combined fee and surcharge of \$50.
- b. For each amendment that is outside the scope of paragraph a. above and for which revised plans are required, the charge is 20% percent of the original permit fee, with a minimum charge of \$50.
- c. For each amendment that is outside the scope of paragraph a above and for which revised plans are not required, the charge is \$25.

108.5.5 Cancellation of applications. If a legal permit cannot be issued on an application, the Department will notify the applicant of that fact, and the application may be withdrawn by the applicant or canceled by the Department. The charge for the withdrawal or cancellation is 50% of the fee prescribed for the work described in the application. However, there is no cancellation charge if the fee for the permit applied for is less than \$100.

108.5.6 Preliminary Project Review. For a “Preliminary Review” of a proposed project, the charge is \$50 for each half hour.

108.5.7 Revised drawings. For revised drawings, the charge is \$10 for each sheet submitted, with a minimum charge of \$25.

108.5.8 Application fee. Before an application for any permit or certificate is processed, the applicant must pay a nonrefundable application fee of \$25.

(Ord. 04-805.)

108.5.9 Inspection fees.

108.5.9.1 Overtime fee. For each inspection or reinspection that, at the request of the owner or owner’s agent, is made outside normal working hours, a charge is imposed at the rate of \$50 an hour for each inspector, with a minimum charge, payable in advance, of \$200 for each inspector.

108.5.9.2 Reinspection fee. If the owner or owner’s agent schedules an inspection and, for any reason, a reinspection of the same work is required, the charge, payable in advance, is as follows:

- a. \$35 for a 1st reinspection,
- b. \$50 for a 2nd reinspection, and
- c. \$100 for a 3rd and every subsequent reinspection.

108.5.10 Penalty surcharge. A surcharge is assessed on any permit that is issued for work begun or completed:

- a. without a permit, or
- b. after the suspension or revocation of a permit for that work.

108.5.10.1 Amount – in general. Except as otherwise specified in this § 108.5.10, the amount of the surcharge is as follows:

- a. if no violation notice or stop work order was previously issued, the surcharge is the greater of \$250 or 30% of the permit fee, and
- b. if a violation notice or stop work order was already issued, the surcharge is the greater of \$1,000 or 50% of the permit fee.

(Ord. 04-805.)

108.5.10.2 Amount – demolition work. For demolition work done without the proper permit or in violation of the terms of a permit, the surcharge is 15¢ for each cubic foot of the structure before the demolition.

108.5.10.3 Reductions. The Building Official may reduce the amount of a surcharge imposed by this § 108.5.10:

- a. on written application and justifiable cause demonstrated, or
- b. in accordance with applicable standards and criteria contained in the rules and regulations adopted under this Code.

(Ord. 04-805.)

108.5.10.4 Surcharge in addition to other fines, etc. A surcharge imposed by this § 108.5.10 is in addition to any other fine or penalty imposed under this Code or any other law or regulation.

108.5.10.5 Contractor's liability. If the unauthorized work for which the surcharge is imposed was performed by a contractor, the contractor:

- a. is personally liable for the surcharge, and
- b. may not, directly or indirectly, attempt to recoup the amount of the surcharge from the property owner.

108.5.10.5.1 Violation. A contractor who violates § 108.5.10.5b:

- a. is subject to the fines and penalties imposed for violations of this Code, and
- b. will be reported to the relevant licensing authority and the Consumer Protection Division of the Attorney General's Office.

(Ord. 04-805.)

108.5.11 Violation reports. The charge for a violation report, whether obtained from the Department or from the Bureau of Liens, is \$30, in addition to the charge for a lien certificate.

108.6 Fee schedules.

108.6.1 Permit fees for construction work.

a. New buildings and additions.

1. 1- and 2-family dwellings

\$10 for each 1,000 cubic feet (28.31 cu. m.) or fraction of 1,000 cubic feet (28.31 cu. m.) of gross volume, including all basements and cellars.

Minimums —

New building

\$100

Additions

\$75

2. All others

\$20 for each 1,000 cubic feet (28.31 cu. m.) or fraction of 1,000 cubic feet (28.31 cu. m.) of gross volume, including all basements and cellars.

Minimums —

New building

\$200

Additions

\$100

b. Structures accessory to a principal occupancy.

Each structure of 100 square feet (9.29 sq. m.) or less

\$25

Each structure over 100 square feet (9.29 sq. m.)

\$50

c. Alterations and repairs.

1. 1- and 2-family dwellings

\$10 for each \$1,000 or fraction of \$1,000 estimated cost

Minimum

\$50

2. All others

\$12 for each \$1,000 or fraction of \$1,000 estimated cost

Minimum

\$150

d. Chimneys, stacks, towers.

0 to 50 feet (15.24 m) high	\$35
Over 50 feet (15.24 m) to 100 feet (30.48 m) high	\$50
Over 100 feet (30.48 m) high	\$75

e. Retaining walls.

\$10 for each 100 square feet (9.29 sq. m.) or fraction of 100 square feet (9.29 sq. m.) of area above footing.

f. Fences.

\$10 for each 100 linear feet (30.38 m) or fraction of 100 linear feet (30.38 m).

g. Grading (excavating or filling).

0 to 5,000 cu. yd. (3822.77 cu. m.)	\$35
Over 5,000 cu. yd. (3822.77 cu. m.) to 50,000 cu. yd. (38,227.74 cu. m.)	\$50
Over 50,000 cu. yd. (38,227.74 cu. m.)	\$75

h. Paving or surfacing.

0 to 1,000 sq. ft. (92.90 sq. m.)	\$25
Over 1,000 sq. ft. (92.90 sq. m.) to 10,000 sq. ft. (929.03 sq. m.)	\$35
Over 10,000 sq. ft. (929.03 sq. m.) to 50,000 sq. ft. (4645.15 sq. m.)	\$60
Over 50,000 sq. ft. (4645.15 sq. m.)	\$85

i. Erecting, placing, hanging, or reconstructing signs.

0 to 10 sq. ft. (0.929 sq. m.)	\$25
Over 10 sq. ft. (0.929 sq. m.) to 150 sq. ft. (13.94 sq. m.)	\$35
Over 150 sq. ft. (13.94 sq. m.) to 200 sq. ft. (18.58 sq. m.)	\$60
Over 200 sq. ft. (18.58 sq. m.) to 500 sq. ft. (46.45 sq. m.)	\$150
Over 500 sq. ft. (46.45 sq. m.)	\$250

j. Installing on-premises advertising signs.

For erecting, placing, hanging, or reconstructing any consolidated area of signage, as described in § 11-422 of the Zoning Code, the fee is \$1 a square foot, with a minimum of \$13 for each consolidated area of signage.

The rates in items i and j are based on the gross square feet area of the sign face or faces. No fee is charged for signs less than 100 square feet (9.29 sq. m.) and used exclusively for advertising the sale or lease of the property on which they are posted.

For repairing, painting, and rehangng any sign in the same place, the fee is \$25 for each sign.

k. Demolition.

1- and 2-family dwellings	\$0.015 per cubic foot volume of structure
All others	\$0.025 per cubic foot volume of structure
Accessory structures	\$25 each
Maximum	\$1,000 per structure

l. Temporary structures.

For each temporary structure, the fee is \$20 a year for each 5,000 cubic feet (141.58 cu. m.) or fraction of 5,000 cubic feet (141.58 cu. m.) of volume.

Minimum	\$35
Maximum	\$800

m. Moving buildings.

\$50 each

n. Swimming pools.

1- and 2-family dwellings	\$50
All others	\$250

o. Occupancy permit (including any accompanying use permit issued under Zoning Code).

For each use in each building or part of a building	\$45
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p. Sediment and erosion control.

Sediment and erosion control review fees will be assessed by the Department of Public Works in accordance with the fee schedule established from time to time by the Board of Estimates.

q. DPW review charges.

A fee of \$100 will be charged for review by the Department of Public Works of each application for a building permit. Additional fees for consultation meetings with the applicant will be charged at the rate of \$50 for each half hour.

108.6.2 Permit fees for electrical work.**a. Electrical service wiring and equipment to be installed, replaced, or relocated, including provision for connection of meter.****1. Rating in Amperes**

0 to 100	\$25
Over 100 to 200	\$30
Over 200 to 400	\$40
Over 400 to 800	\$60
Over 800 to 1,000	\$100
Over 1,000 to 2,000	\$150
Over 2,000	\$200

For services over 600 volts, add \$100.

2. Installing conduits and duct banks only

Over 0 to 200 feet	\$25
Over 200 to 1,000 feet	\$50
Over 1,000 feet	\$100

b. Electrical wiring for new branch circuits, feeders, and extensions to or replacements of branch circuits.

For each circuit	\$6
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A 3-wire or 4-wire branch circuit serving single phase loads is considered to be a 2- or 3-branch circuit respectively.

A 3-wire branch circuit serving only 3-phase loads or serving a single appliance is considered to be a 1-branch circuit.

c. Fixtures or devices only.

For installing electrical fixtures or devices only:

1 to 25 fixtures	\$25
26 to 50 fixtures	\$30
51 to 75 fixtures	\$35

\$5 for each additional 25 or fraction of 25 fixtures or devices.

d. Temporary electrical wiring.

- 1. For bazaars, cinema shows, dances, displays, exhibitions, fairs, plays, rummage sales, sporting events, suppers, and other similar assemblies.**

\$20 for each 5 kilowatts or fraction of 5 kilowatts of feeder capacity supplying the wiring.

The fee is reduced 50% if the net proceeds from the event are to be used exclusively for a charitable or religious organization.

- 2. For carnivals and circuses.**

\$25 for each 5 kilowatts or fraction of 5 kilowatts of feeder capacity supplying the wiring.

The fee is reduced 50% if the net proceeds from the event are to be used exclusively for a charitable or religious organization.

- 3. For construction purposes.**

The fee is the same as for permanent installations, and the permits must be applied for separately.

e. Electrical semiannual permits for maintenance work.

The fee for each permit is based on the total service of the plant.

Rating of Service in Amperes

0 to 600	\$50
Over 600 to 800	\$75
Over 800 to 1,200	\$100
Over 1,200 to 2,000	\$150
Over 2,000	\$200

f. Not otherwise classified.

Electrical work not otherwise classified in this section \$25 per permit

g. Low voltage \ wiring.

1 to 25 devices \$25
\$5 for each additional 10 or fraction of 10 devices

h. Telecommunications.

Power Supply for Integrated Systems

Up to 50kW	\$150
Over 50kW	\$2 per additional 10kW or fraction of 10kW
Maximum	\$500

Communication hotels

Per rack	\$10
Maximum	\$300

Telecommunications antennas

1 to 5 antennas	\$25
Over 5	\$5 per additional antenna
Grounding and bonding	\$25

i. Installing electrical transformers only.

1 to 10 KVA	\$25
Over 10 to 50 KVA	\$35
Over 50 to 100 KVA	\$75
Over 100 KVA	\$100

108.6.3 Permit fees for mechanical work.**a. Fuel-burning equipment and appliances.**

BTU per hour input per unit

0 to 200,000	\$30
Over 200,000 to 500,000	\$45
Over 500,000 to 1,000,000	\$75
\$75 for each additional 1,000,000 or fraction of 1,000,000	

Maximum	\$300 per unit
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Lab tables:	\$5 per outlet
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Gas piping, new or replacement	\$50
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Replacement of units same as new

(Ord. 04-672.)

b. Air conditioning and refrigeration systems.

Cooling towers	\$150 per unit
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All others	
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\$5 a ton (1 ton equals 12,000 BTU per hour)	
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Minimum	\$ 30
Maximum	\$300 per unit

c. Hydronic and steam-heating systems.

New installation of baseboard radiation	
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1- and 2-family dwellings	\$25
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All others	\$50
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New installation of piping	
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1- and 2-family dwellings	\$25
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All others	\$50
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New installation of radiators or convectors	
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\$5 each	
Minimum	\$30

Replacement of unit same as new	
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d. Distribution systems.

New installation	
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1- and 2-family dwelling	\$25 per house
All other work	\$5 per 1000 CFM

Minimum	\$30
Maximum	\$300

Reconstruction of existing distribution systems	
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1 to 25 diffusers	\$35
Over 25 diffusers	\$50 per 100 or fraction of 100

e. Exhaust systems.

\$5 for each 1,000 cubic feet (28.31 cu. m.) of air per minute

Minimum	\$30
Maximum	\$300

f. Unfired pressure vessels.

\$50 each

g. Tanks for all liquids, including propane gas cylinders.

LP gas cylinders in the aggregate of 1,000 gallons (3,780 L) or fraction of 1,000 gallons (3,780 L) are considered 1 tank.

0 to 1,000 gallons (3,780 L)	\$20 each
Over 1,000 gallons (3,780 L) to 10,000 gallons (37,800 L)	\$30 each
Over 10,000 gallons (37,800 L)	\$30 plus \$10 per 5,000 gallons (18,900 L) or fraction over 10,000 gallons (37,800 L); maximum \$400

Removal of tanks	\$35 per tank
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h. Pumps and dispensers.

For each hose outlet	\$10
Minimum	\$30

i. Fire extinguishing systems.

Sprinkler systems	
1 to 25 heads	\$35
More than 25 heads	\$50 per 100 heads or fraction of 100 heads
Relocate sprinkler heads	\$5 each
Minimum	\$30
Maximum	\$100
Replace sprinkler heads only	\$20
Standpipe risers	\$50 each
Relocate hose stations	\$10 each
Chemical systems	\$50

j. Plumbing and on-site utilities.

Install, replace, or reconstruct plumbing fixtures	\$5 each
Remove plumbing fixtures only	\$20
Electrical water heaters, new construction or replacement	\$20 each
Water service pipe, new or replacement	
1-and 2-family dwellings	\$25
All other work	\$50
Sanitary connection, new or replacement	
1- and 2-family dwellings	\$25
All other work	\$50
Storm water connection, new or replacement	
1- and 2-family dwellings	\$25
All other work	\$50
Reconstruct water, sanitary, or storm lines on premises	\$20 per utility
Cap off water, sanitary, or storm lines on premises	\$50 per utility
Private disposal systems, including septic tank, dry well, or drain fields	\$100, plus \$5 per plumbing fixture
Lawn irrigation system	\$25
Private swimming pool when connected to a water and sewer line	\$30
Backflow prevention device	
Installation	
Less than 2" diameter	\$25 each
2" to 4" diameter	\$75 each
Over 4" diameter	\$100 each
Annual testing inspection	\$30

k. Installing elevators, escalators, etc.

Installation per unit:

Passenger, power freight, and parking elevators	\$50, plus \$5 per floor
Maximum	\$150
Escalators	\$60
Hand or gravity elevators	\$35
Stage or orchestra console elevators	\$50
Private residence elevators or inclined lifts	\$35
Person lifts	\$50
Automobile service lifts	\$20
Power dumbwaiters	\$35
Hand dumbwaiters	\$30
Temporary material hoists and elevators	\$35
Workers' hoists	\$35, plus \$5 per floor

Alterations

\$10 per
\$1,000 or fraction of
\$1,000 of estimated cost

108.6.4 Fees for certificates.**a. Electrical certificates of approval.**

1. \$10 each when issued as part of original permit.
2. \$20 each when issued separately.

b. Mechanical certificates of approval.

1. \$10 each when issued as part of original permit.
2. \$20 each when issued separately.

c. Certificates of completion or other.

\$45 each

108.6.5 Fees for inspection registration permits. For inspection registration permits, the fees are as follows:**a. Public assemblies – Annual.**

For public assemblies, the annual fee is:

0 to 6,000 sq. ft. (557.42 sq. m.)	\$55
Over 6,000 sq. ft. (557.42 sq. m.) to 12,000 sq. ft. (1114.84 sq. m.)	\$60
Over 12,000 sq. ft. (1114.84 sq. m.) to 25,000 sq. ft. (2322.58 sq. m.)	\$75
Over 25,000 sq. ft. (2322.58 sq. m.)	\$85

If the net proceeds from any of these assemblies are to be used continuously and exclusively for a charitable or religious organization, the fee is reduced 50%.

b. Public assemblies – Short term.

For public assemblies for which an annual permit has not been obtained, fees are charged as follows:

For each 10,000 square feet (929.03 sq. m.) or fraction of 10,000 square fee (929.03 sq. m.)

<i>Purpose</i>	<i>1 Day</i>	<i>1 Week</i>
Bazaars	\$20	\$ 60
Carnivals	\$35	\$ 95
Circuses	\$60	\$200

Dances	\$30	\$ 70
Displays	\$20	\$ 50
Exhibitions	\$20	\$ 50
Fairs	\$35	\$ 85
Lectures	\$20	\$ 50
Movies or videos	\$20	\$ 60
Plays	\$20	\$ 50
Rummage Sales	\$20	\$ 50
Sporting events	\$35	\$ 85
Suppers	\$20	\$ 50
Other assemblies	\$20	\$ 50
Amusement devices	\$30 each	—

If the net proceeds from any of these activities, except amusement devices, are to be used exclusively for a charitable or religious organization, the fee is reduced 50%.

c. Roof tanks and roof signs.

For roof tanks and roof signs, the annual fee is:

Roof tanks	\$20 each
Roof signs	
100 sq. ft. (9.29 sq. m.) to 500 sq. ft. (46.45 sq. m.)	\$20
Over 500 sq. ft. (46.45 sq. m.) to 1,000 sq. ft. (92.90 sq. m.)	\$35
Over 1,000 sq. ft. (92.90 sq. m.)	\$50

108.6.6 Fees for miscellaneous work. Permit fees for miscellaneous work, operations, and other purposes, not elsewhere provided for in this Code, are charged at the rate of \$10 for each \$1,000 or fraction of \$1,000 of estimated cost.

108.7 Building Code Permit Tax. A tax is levied and imposed on every issuance of a permit under this Code. The amount of the tax is 5% of the final cost of that permit rounded up to the nearest whole dollar. The funds so collected are to be deposited to the General Fund and accounted for in a revenue account entitled “Homeless Relief Assistance”, with the legislative intent that an equivalent amount be appropriated in the future for the relief of the homeless.

SECTION 109 INSPECTIONS *[As in IBC]*

SECTION 110 OCCUPANCY PERMIT; CERTIFICATE OF COMPLETION

110.1 - 110.4 *[As in IBC. But Note: The “certificate of occupancy” to which the IBC refers is known in Baltimore City as an “occupancy permit”.]*

110.5 Certificate of completion. Within 10 days of written application, the Building Official will issue a certificate of completion if all work authorized by a building permit has been satisfactorily completed in compliance with this Code. The certificate certifies the satisfactory completion of the work and the purpose for which the structure may be used in its several parts.

110.6 Revocation. *[As in IBC § 110.5]*

SECTION 111 SERVICE UTILITIES [As in IBC]**SECTION 112 BOARD OF APPEALS [Not Adopted]****SECTION 113 VIOLATIONS****113.1 Unlawful acts.** It is unlawful for any person to:

- a. construct, alter, add to, repair, rehabilitate, demolish, move, locate, use, occupy, or maintain any structure, premises, land, or equipment regulated by this Code, contrary to or in conflict with or in violation of:
 1. any provision of this Code, or
 2. any provision of any regulation, order, requirement, decision, permit, or notice issued under this Code by the Building Official or by any other person, board, department, bureau, commission, or agency with jurisdiction, or
- b. otherwise fail to comply with any provision of this Code or of any regulation, order, requirement, decision, permit, or notice issued under this Code, or
- c. cause any of these acts or omissions to be done.

113.2 Violation notice or order. Except as otherwise provided in this Code, the Building Official may serve a violation notice or order on any person legally responsible for the construction, alteration, addition, repair, rehabilitation, demolition, moving, location, use, occupancy, or maintenance of any structure, premises, land, or equipment in violation of any provision of:

- a. this Code, or
- b. a plan approved under this Code, or
- c. a permit or certificate issued under this Code.

113.2.1 Tenor of notice or order. The notice or order may direct:

- a. the discontinuance of the illegal action or condition, and
- b. the abatement of the violation, which may include restoration to the prior condition.

113.3 Enforcement generally. If a violation is not promptly discontinued or abated, or if the violation notice or order is not complied with promptly, the Building Official may institute or cause to be instituted any appropriate legal proceedings.

113.3.1 Types of proceedings. Enforcement proceedings may include:

- a. injunctive or other equity proceedings, including an action initiated by a code-enforcement-injunction citation under City Code Article 19, § 71-3, or an action for appointment of a receiver under § 121 of this Code,

- b. criminal prosecution, including a prosecution initiated by a prepayable criminal citation under City Code Article 19, § 71-2, and
- c. administrative proceedings, including one initiated by an environmental citation under City Code Article 1, § 40-14.

113.3.2 Remedies not exclusive. In pursuing a violation, the Building Official may use any 1 or more available remedies or enforcement actions. The initiation of any 1 remedy or enforcement action does not preclude pursuing any other remedy or enforcement action authorized by law. Neither damages, irreparable injury, nor the lack of an adequate remedy at law is a prerequisite to enforcement in equity.

113.3.3 When prior notice not required. A violation notice or order is not a prerequisite to enforcement action in the following situations:

- a. when seeking a temporary restraining order or injunction in an emergency,
- b. when seeking equitable relief for a pattern or practice of non-compliance,
- c. for work being done without a permit or in violation of a stop-work order,
- d. for a violation that remains unabated after a prior prosecution for that violation,
- e. for a prepayable criminal citation that is issued under City Code Article 19, Subtitle 71 {“Special Enforcement Officers”} and for which prior notice is waived under Article 19, § 71-2,
- f. for an environmental citation that is issued under City Code Article 1, Subtitle 40 {“Environmental Control Board”}, and
- g. in any other case specifically authorized by this Code.

113.4 Criminal penalties. A person is guilty of a misdemeanor and, on conviction, subject to a fine of not more than \$500 for each violation, if the person:

- a. violates a provision of this Code,
- b. fails to comply with any requirement of this Code or of a regulation, order, decision, permit, or notice issued under this Code, or
- c. constructs, alters, adds to, repairs, rehabilitates, demolishes, moves, locates, uses, occupies, or maintains any structure, premises, land, or equipment in violation of an approved plan or directive of the Building Official or of a permit or certificate issued under this Code.

113.4.1 Notice required. Except as otherwise specifically authorized by law, criminal proceedings may not be initiated unless the Building Official issues a notice of violation and allows a reasonable time to correct the violation.

113.4.2 Each day a separate offense. Each day that a violation continues is a separate offense. Proof that a violation exists on any date after issuance of a violation notice is prima facie evidence that the violation has continued unabated throughout the intervening period.

113.5 Civil penalties and costs. In equity proceedings instituted under this Code:

- a. a violation for which equitable relief is sought is subject to a civil fine of not more than \$500 for each day that the violation continues unabated,
- b. the defendant is liable for the plaintiff's enforcement costs and reasonable attorneys' fees, at the rate established by the Court of Appeals, whether or not the attorney is a salaried employee of the plaintiff, and
- c. judgment may be sought for outstanding liens imposed by the City on property subject to the proceeding and owned by the defendant.

113.6 Abatement of violation. The imposition of penalties does not preclude the City Solicitor from instituting appropriate legal proceedings to:

- a. prevent unlawful construction,
- b. restrain, correct, or abate a violation,
- c. prevent illegal occupancy of a structure or premises, or
- d. stop an illegal act, conduct, business, or use of a structure on or about any premises.

113.6 - 113.10 {Reserved}

113.11 Revoking or withholding violator's permits. Whenever the Building Official finds that any contractor or owner is in violation of any provision of this Code, of a permit, or of the rules and regulations of any department or agency of the City in connection with the construction, alteration, addition, repair, rehabilitation, demolition, moving, location, use, occupancy, or maintenance of any structure, premises, land, or equipment, the Building Official may revoke, without prior notice, any existing permit and refuse to grant any further permits to the contractor or owner until all violations have been corrected and all fees and penalties have been paid.

113.12 Withholding permit from repeat offender. The Building Official may refuse to grant permits for a period of up to 5 years to any contractor or owner who has been found to have done work without a required permit more than once within the preceding 5 years.

113.13 {Reserved}

113.14 Work without permit – General. Any person who does work without a permit:

- a. is in violation of this Code and subject to enforcement action without notice,
- b. must immediately stop any work in progress,

- c. must obtain a permit, paying all associated fees and penalties, whether the work is in progress or completed, and
- d. must restore the structure to its original condition, unless:
 - 1. the work otherwise conforms to the relevant requirements of law, and
 - 2. the Building Official, in his or her discretion, allows the work to remain or continue.

113.15 Work without permit — Demolition or moving. If a structure is being or about to be demolished or moved without a permit:

- a. a violation notice is not a prerequisite to enforcement by any appropriate legal proceeding,
- b. the Building Official may order the work to be stopped until the proper permit is obtained, and
- c. penalties will be assessed under this § 113.

113.16 - 113.20 {Reserved}

113.21 Responsibility of owners and operators. Except as otherwise specifically provided in § 113.21.1, the owner and the operator of any property subject to this Code are each:

- a. responsible for compliance with all provisions of this Code in all matters pertaining directly or indirectly to that property, and
- b. liable for all violations of this Code in connection with any land, structure, matter, or thing owned or controlled by them.

113.21.1 Exceptions. Only the owner is responsible for compliance with a provision requiring an owner's signature. Except as specified in § 113.21.2, an owner or operator is not responsible for compliance with a provision of this Code that is specifically designated as the responsibility of the occupant, unless that owner or operator is also an occupant.

113.21.2 Secondary liability for sanitary maintenance. If, after a notice, order, or citation, a tenant fails to correct a violation of Property Maintenance Code § 304 {"Exterior sanitary maintenance – General"} or § 305 {"Exterior sanitary maintenance – Trash, garbage, and debris"} for which occupants are responsible under Property Maintenance Code § 307 {"Occupant's sanitary responsibilities"}, the owner and operator of the property are secondarily liable.

113.21.2.1 Notice to owner, operator. Before an owner or operator may be charged under this § 113.21.2, he or she must be served with violation notice under § 123.4.

113.21.2.2 Recovery of expenses. If an owner or operator incurs expenses in correcting the violation, the owner or operator:

- a. may recover those expenses from the tenant as rent, and
- b. has all the rights and remedies available under the law for nonpayment.

113.22 Responsibility of others. In addition to the owner or operator of the property involved, any other person who violates any provision of this Code is liable for the violation and, on conviction, is subject to all penalties provided in this Code for the violation.

113.23 Responsibility of transferor and transferee. This § 113.23 applies whenever any property is transferred by sale, assignment, ground rent lease, or otherwise, with or without consideration (“transfer”). Except as provided in § 113.25, this § 113.23 does not apply to a mortgagee or to the holder of a note secured by a deed of trust.

113.23.1 Duties of parties before transfer. Before any transfer of property:

- a. the transferor must give the transferee a copy of every outstanding violation and condemnation notice to which the property is subject, and
- b. the transferee must obtain a copy of a violation report for the property.

113.23.2 Primary liability of transferee. On transfer of the property, if any violation or condemnation notices lie against the property, the transferee:

- a. becomes primarily liable for those notices the same as if the notices had been addressed to the transferee,
- b. must abate the violation, and
- c. is liable in accordance with § 117 of this Code for any expenses incurred by the City in abating the violation or condemnation notice, if the transferee:
 - 1. received a copy of the notice under § 113.23.1a, or
 - 2. failed to request a violation report under § 113.23.1b.

113.23.2.1 Reliance on violation report. A transferee is not liable for a notice or for abatement expenses incurred by the City if, before the transfer, the transferee requested a violation report and the report does not show the violation.

113.23.3 Primary liability of transferor. If, before the transfer, the transferor fails to give the transferee a copy of any outstanding violation or condemnation notice (as required by § 113.23.1a), the transferor remains primarily liable for all abatement expenses incurred by the City through 1 year from the date of the transfer.

113.23.4 Joint liability. If, before the transfer, the transferor fails to give the transferee a copy of any outstanding violation or condemnation notice (as required by § 113.23.1a) and the transferee fails to request a violation report (as required by § 113.23.1b), the transferor and transferee are jointly and severally liable for all abatement expenses incurred by the City.

113.23.5 Notice of transfer to Department. Within 10 days of the execution of any deed, assignment, ground rent lease, or other instrument for the transfer of property covered by this Code, the transferor and transferee, or their respective agents, must furnish the Department with an affidavit, made on personal knowledge, that contains:

- a. the address of the property involved,
- b. the name and current address of the transferor,
- c. the name and current address of the transferee or, if the transferee is a corporation, the mailing address of the corporation and the names and addresses of its officers and resident agent,
- d. the nature of the transaction,
- e. the date of the transfer, and
- f. the transferor's attestation that copies of all violation and condemnation notices have been given the transferee as required by § 113.23.1a.

113.24 Responsibility of officers, directors, etc., of corporations, partnerships, etc. Whenever a corporation, joint stock company, partnership, association, limited liability company, or other entity violates any provision of this Code, every officer, director, trustee, partner, member, or agent of that entity who has authorized or done any of the acts constituting the violation, in whole or in part, or who has failed to act or acquiesced in any failure to act constituting the violation, in whole or in part, is individually guilty of a misdemeanor and, on conviction, is subject to the penalties provided in this § 113.

113.25 Responsibility of mortgagee. A person that acquires an interest in property by way of a mortgage or deed of trust ("lender") is liable to the same extent as an owner/transferee for a violation or condemnation notice pertaining to a vacant unsafe structure, if:

- a. the person with primary responsibility fails to comply with the notice,
- b. the lender has been notified by certified mail of the violation or condemnation notice, and
- c. within 180 days after the receipt of the notice:
 1. ratification of a foreclosure sale of the property has not occurred, or
 2. the lender has not released its mortgage or deed of trust.

113.25.1 Bankruptcy toll. The 180-day period referred to in § 113.25c is tolled by any period during which the lender's right to foreclose is stayed by a pending proceeding under the federal Bankruptcy Code.

113.25.2 Defense. During any enforcement proceeding instituted against a lender under this section, it is a defense that the lender did not have the right to institute foreclosure proceedings.

113.25.3 During pendency of foreclosure. During the pendency of a foreclosure, the lender is responsible for maintaining the property free from high vegetation and from accumulation of trash and debris.

113.26 Responsibility of buyer on foreclosure. On foreclosure or sale in lieu of foreclosure, the buyer:

- a. acquires ownership responsibility when the sale is ratified, and
- b. takes title subject to any outstanding notices.

SECTION 114 STOP-WORK ORDER *[As in IBC]*

SECTION 115 UNSAFE STRUCTURES

115.1 General. Any structure or part of a structure found to be unsafe or unfit for human habitation or other authorized use must be rehabilitated or, as permitted or required by the Building Official, demolished.

115.1.1 Scope. A structure may be unsafe or unfit for human habitation or other authorized use because of:

- a. conditions constituting a fire hazard or conditions of damage, decay, dilapidation, obsolescence, abandonment, vacancy (as described in § 115.4), insanitation, or vermin or rodent infestation that constitute a hazard to the health, welfare, or safety of occupants or the public,
- b. lack of sanitation, illumination, ventilation, heating, plumbing, exitways, fire protection, utilities, or other facilities adequate to protect the health, welfare, or safety of occupants or the public, or
- c. conditions that are so unsafe, insanitary, overcrowded, improper in use or occupancy, or otherwise dangerous to life, health, welfare, or safety as to create a hazard to occupants or the public.

115.2 Occupied unsafe structures. Whenever the Building Official or the Commissioner of Health finds all or any part of an occupied structure to be unsafe or unfit for human habitation or other authorized use:

- a. either the Building Official or Commissioner of Health may:
 1. post an order requiring the structure or affected part to be vacated, and
 2. take necessary steps to remove occupants who fail or refuse to vacate,
- b. once vacated, the structure or affected part may not be reoccupied until:
 1. it is rehabilitated to comply with all applicable codes and ordinances, and

2. the Building Official has issued an occupancy permit, and
- c. pending rehabilitation, the structure must be kept secure against casual entry and the premises kept free of litter, high grass, and weeds.

115.3 Temporarily unoccupied structures. Any structure or part of a structure that has been left unoccupied without removing appliances or portable equipment or furniture and without disconnecting utility service must be safeguarded by closing and securely locking all windows, doors, and other openings.

115.4 Unsafe vacant structures. Every vacant structure, as defined in this § 115.4, is declared to be a fire hazard and a nuisance per se, and must be safeguarded and otherwise maintained as required in this § 115.4.

115.4.1 Definition. “Vacant structure” means an unoccupied structure that is unsafe or unfit for human habitation or other authorized use.

115.4.2 Determinations. A determination of vacancy and a determination of noncompliance with a notice or order issued under this section may be based on observation that a structure:

- a. is open to casual entry,
- b. has boarded windows or doors, or
- c. lacks intact window sashes, walls, or roof surfaces to repel weather entry.

115.4.3 Required safeguarding. Every vacant structure must be cleaned, closed, and safeguarded as follows:

- a. Before the structure is closed and secured, all litter, trash, and other debris must be removed from the premises.
- b. All windows, doors, and other openings must be closed, securely locked, and, if within 20 feet of the ground or readily accessible, further protected by boarding up with substantial material, including masonry, approved by the Building Official. The Building Official may require windows facing streets to be boarded with lexan, vinyl, or similar material, protected by security grills, or both.
- c. As long as the structure remains unrehabilitated, it must be kept boarded and the premises kept free of litter, trash, debris, high grass, and weeds at all times. Boarding and cleaning, however, does not relieve the owner of responsibility to demolish or to repair and maintain the property in conformity with this Code.
- d. The structure may not be reoccupied until the Building Official has issued an occupancy permit.

115.4.4 Emergency condition. A vacant structure that is not kept boarded and free from accumulations of debris and high vegetation or that, in the opinion of the Building Official, is so dangerously unsound or so deteriorated that rehabilitation is not feasible constitutes an

emergency condition that imminently threatens the public health and safety and requires immediate resolution.

115.4.5 Rodenticide procedure. *See* § 3313 of this Code.

115.5 Rehabilitation, demolition, and stabilization. Except as otherwise authorized or required under this section, a structure found to be unsafe or unfit for human habitation or other authorized use must be rehabilitated.

115.5.1 Permitted demolition. On timely appeal of an order to rehabilitate, the Building Official may permit an owner to demolish an unsafe structure instead of rehabilitating it if, in the Building Official's opinion, demolition is not detrimental to the immediate neighborhood.

115.5.2 Required demolition. The Building Official may order the immediate demolition of any unsafe structure that, in the Building Official's opinion, is either so dangerously unsound or so deteriorated that rehabilitation is not feasible.

115.5.2.1 Appeal. The recipient of an order to demolish an unsafe structure may request administrative review of the order under § 128 of this Code.

115.5.2.2 Rescission of demolition order. The Building Official may rescind or modify a demolition order if the owner demonstrates the financial ability and requisite expertise to rehabilitate the structure within a reasonable time, as determined by the Building Official, and agrees to comply with a specified timetable. Failure to comply with an agreed timetable reinstates the demolition order.

115.5.3 Stabilization. The Building Official may permit or order an interim stabilization of an unsafe structure pending its rehabilitation.

115.5.4 Reoccupancy of rehabilitated structure. A structure declared unsafe or unfit for occupancy may not be reoccupied until the Building Official has:

- a. abated the violation notice or order, and
- b. issued an occupancy permit.

115.6 Vacant lot maintenance. When a structure has been demolished under this § 115, the premises must be made to conform to the provisions of this Code and of the regulations adopted under this Code.

115.7 Remedial action by Building Official. The Building Official may take action under this § 115.7 whenever the owner, agent, or person in control cannot be found or fails to comply with a notice or order served under this Code:

- a. to repair, rehabilitate, stabilize, or demolish an unsafe structure,
- b. to clean, close, board, or otherwise safeguard a vacant structure, or

- c. to remove high grass and weeds or litter, trash, and debris from the premises of a vacant structure.

115.7.1 Actions authorized. The Building Official may proceed to:

- a. have a receiver appointed, or
- b. complete all or any part of the required work through officers, agents, employees, or contractors.

115.7.2 Entry to property. Before taking any remedial action, the Building Official may enter the premises, without additional notice, to determine the extent of deterioration and the feasibility of rehabilitation.

115.7.3 When additional notice not required. Boarding, cleaning, and otherwise safeguarding a vacant structure that is subject to an expired violation notice is an emergency action that requires no additional prior notice.

115.7.4 Remedies nonexclusive. Remedial action under this § 115 does not preclude any other enforcement action authorized by this Code.

115.8 {Reserved}

115.9 “Abandoned” property. If a property is cited as “vacant” or “unfit for human habitation” on a violation notice issued under this § 115, the property is considered to be cited as “abandoned” within the meaning of the State Tax-Property Article, Title 14, Subtitle 8.

115.10 Effect of designation. On issuance of a violation notice that designates a structure to be a vacant structure, the structure is deemed to be condemned.

SECTION 116 EMERGENCY AND CORRECTIVE MEASURES

116.1 Power of Building Official in emergencies. In an emergency where life, health, safety, or property is in immediate danger, the Building Official may immediately take any action necessary to protect the endangered life, health, safety, or property, without complying with the notice provisions of this Code.

116.2 Photographs of dangerous conditions. In all emergencies, if it is practical and if enough time is available to do so, the Building Official must cause the dangerous or unsafe condition that created the emergency to be photographed before any demolition or other work or operation is begun to eliminate the dangerous or unsafe condition.

116.3 Closing streets. When necessary for the public safety, the Building Official may temporarily close adjacent structures and close or request the Director of Public Works to close adjacent sidewalks, streets, and other public ways and prohibit them from being used.

116.4 Labor and material for emergency work. In an emergency where life, health, safety, or property is in immediate danger and it is necessary to perform any work or operation to protect that life, health, safety, or property, the Building Official may employ the persons and buy the materials needed to perform the work or operation as expeditiously as possible.

116.5 Liability for costs of emergency work. Liability for expenses incurred in the course of performing emergency work and the procedure for collecting resultant debts and liens are as provided in § 117 of this Code.

SECTION 117 LIABILITY FOR EXPENSES AND COLLECTION OF DEBTS AND LIENS

117.1 Scope. This § 117 applies to all cases where:

- a. the Building Official enforces any provision of this Code, including but not limited to:
 1. the elimination of any safety, health, or fire hazard,
 2. the elimination of any nuisance, blight, or insanitary condition,
 3. the removal of any abandoned or illegally constructed structure or other object, or
 4. the taking of any corrective action in emergencies or otherwise, and
- b. in connection with those efforts, the Building Official:
 1. furnishes or causes to be furnished any labor, supervision, equipment, or materials, or
 2. performs or causes to be performed any inspection, work, or operation to eliminate the hazard or condition or to remove the structure or other object.

117.2 Liability and lien for expenses. In the cases described in § 117.1, the entire amount of the Building Official's expenditures, together with all incidental costs and all accrued penalties:

- a. are a personal debt owed to the City jointly and severally by every person made liable under this Code, and
- b. are a lien in favor of the City on the land and improvements in respect to which the expenditures were made.

117.3 When debts and liens become effective. All debts become due and owing to the City immediately when the work is completed or the expenditure made. All liens become effective immediately after the Building Official notifies the Bureau of Liens that appropriate notice has been given or that a structure has been posted in accordance with this Code.

117.4 Collection of debts and liens. All debts due and liens incurred under this § 117:

- a. are collectible from any assets of the persons made liable under this Code, including a former owner, and

- b. may be collected and enforced in the same way that the City collects and enforces other debts due to it or liens in its favor.

117.5 Priority over other liens and encumbrances. All debts and liens incurred under this § 117 have priority over all other liens and encumbrances, except taxes or other government assessments.

SECTIONS 118 TO 119 *{Reserved}*

SECTION 120 CONDEMNATION PROCEEDINGS

120.1 In general. If any land, structure, or equipment becomes unsafe or dangerous to public health or safety, the Building Official may condemn the land, structure, or equipment as provided in this § 120 and issue a condemnation notice as provided in § 123 of this Code. The issuance of a violation notice is not a prerequisite for the condemnation of real property.

120.2 Posting notice. If the Building Official condemns any land, structure, or equipment, the Building Official must cause a notice to be conspicuously displayed on the condemned land, structure, or equipment.

120.2.1 Contents. The notice must:

- a. be at least 11 by 18 inches,
- b. be signed by the Building Official, and
- c. advise the public that:
 - 1. the particular land, structure, or equipment has been condemned as being unsafe or dangerous for occupancy or use, and
 - 2. the public is warned to keep away.

120.2.2 Emergencies. In case of an emergency where life or property may be in immediate danger, the Building Official need not post the property and may proceed in accordance with § 116 of this Code.

120.3 Vacating condemned property. A notice posted under § 120.2 is deemed to be sufficient warning to all occupants of the condemned property to leave immediately. If any occupant fails to vacate the property immediately after the notice is posted, the Building Official may take whatever action is proper and expedient to remove that occupant.

120.4 Receiver of condemned property. After a property is condemned, the Building Official may:

- a. take any action authorized under § 120.7, or
- b. in accordance with § 121 of this Code, apply to court for the appointment of a receiver to rehabilitate and manage the property.

120.5 Status of condemned property. After property has been condemned and posted in accordance with this § 120, that property remains condemned and may not be occupied or used again until the Building Official declares the property safe for occupancy or use and has removed the condemnation.

120.6 Order to demolish. If, in the Building Official's opinion, a structure is so dangerously unsound or so deteriorated that rehabilitation is not feasible, the condemnation notice may order the owner to demolish the structure immediately.

120.7 Removal of unsafe conditions. Anytime after property has been posted in accordance with this § 120, the Building Official may demolish, move, alter, repair, rehabilitate, rebuild, reconstruct, or take any other appropriate action to eliminate or make safe and secure any dangerous or unsafe condition. Before doing so, however, the Building Official must provide the notice required by § 105.9 of this Code.

120.8 Condemnation of electrical work. If any electrical wiring or equipment that has been the subject of a condemnation notice is not made safe within the time required by the condemnation notice, the wiring or equipment must be put out of service by cutting off all electric current to it and by sealing all switches that operate in connection with the wiring or equipment.

120.8.1 Emergency action. In case of an emergency where life or property is in immediate danger, the Building Official may order all electric current serving the wiring or equipment to be cut off and all switches that control the wiring or equipment to be sealed. The Building Official's orders must be complied with immediately, regardless of any other provisions of this Code that might apply.

120.8.2 Permission needed to reactivate. Whenever electric current has been cut off or switches have been sealed under this § 120.8, the electric current may not be cut in and the seals may not be broken, except by an authorized agent of the Building Official, after all requirements of the Building Official have been complied with and the Building Official has issued a certificate of approval.

120.9 Condemnation of mechanical work. If any mechanical equipment that has been the subject of a condemnation notice is not made safe within the time required by the condemnation notice, the mechanical equipment must be put out of service and sealed.

120.9.1 Emergency action. In case of an emergency where life or property is in immediate danger, the Building Official may order the mechanical equipment to be put out of service and sealed. The orders of the Building Official must be complied with immediately, regardless of any other provisions of this Code that might apply.

120.9.2 Permission needed to reactivate. Whenever mechanical equipment has been put out of service and sealed under this § 120.9, the mechanical equipment may not be put back in service and the seals may not be broken, except by an authorized agent of the Building Official, after all requirements of the Building Official have been complied with and the Building Official has issued a certificate of approval.

SECTION 121 VACANT BUILDING RECEIVER

121.1 Scope. This § 121 applies to a vacant building, as defined in § 115.4, that contains 1 or more dwelling units and for which the owner has failed to comply with a notice or order to rehabilitate.

121.2 In general. The Building Official or an established community association or nonprofit housing corporation authorized by the Building Official to act as the building Official's agent may petition the court for appointment of a receiver to rehabilitate the property or to sell it to a qualified buyer.

121.3 Notice to owner and mortgagee. At least 10 days before filing the petition, the Building Official or Building Official's agent must serve on the owner and on any mortgagee of the property, in accordance with § 123 of this Code:

- a. a notice of the petition for appointment of receiver, and
- b. a copy of the original violation notice or order to rehabilitate.

121.3.1 Effect of failure to serve mortgagee. The receiver's lien for rehabilitation expenses will not have priority over a previously recorded mortgage if:

- a. the recorded mortgage contains and address at which service can be effected on the mortgagee, and
- b. the mortgagee was not served with notice of the proceeding.

121.3.2 Filing with Bureau of Liens. The violation notice or order and the notice of the proceeding must also be filed with the Bureau of Liens. A record of these must be included in subsequent lien reports issued by the Bureau.

121.4 Named respondents. The petition for appointment of receiver must name as respondents:

- a. the owner of the property, and
- b. the plaintiff in any proceeding that was timely filed under State Tax-Property Article § 14-833 {"Complaints to foreclose right of redemption"} and for which the time for securing a decree of foreclosure has not yet expired.

121.4.1 Effect of failure to name plaintiff in foreclosure. Failure to name a person described in § 121.4b does not prevent the action from going forward, but does prevent the receiver's lien for rehabilitation expenses from having priority over that person's lien interest.

121.5 Contents of petition. The petition for appointment of receiver must include:

- a. a copy of the original violation notice and order to rehabilitate,
- b. affirmation by affidavit that:
 - 1. notice has been served on the owner and mortgagee in accordance with §§ 121.3 and 123, and

2. the required rehabilitation has not been completed,
- c. a work write-up, with cost estimates, for the work needed to rehabilitate the property, and
- d. the identity and qualifications of the proposed receiver, if other than the Building Official.

121.6 Notice to judgment creditors and lien holders. After filing the petition and at least 30 days before any sale of the property, the Building Official or Building Official's agent must give notice of the pendency and nature of the proceedings to all judgment creditors and lien holders with a recorded interest in the property.

121.6.1 Intervention. Within 30 days of the date on which the notice was mailed, a judgment creditor or lien holder may apply to intervene in the proceeding and to be appointed under § 121.7.

121.6.2 Effect of failure to give notice. Failure to give notice to any person under this § 121.6 does not prevent the action from going forward, but does prevent the receiver's lien for rehabilitation expenses from having priority over that person's lien interest.

121.7 Appointment of owner, etc., instead of receiver. Instead of appointing a receiver to rehabilitate or sell a vacant building, the court may permit an owner, mortgagee, or other person with an interest in the property to rehabilitate it, if that person:

- a. demonstrates ability to complete the rehabilitation within a reasonable time,
- b. agrees to comply with a specified schedule for rehabilitation, and
- c. posts bond as security for performance of the required work in compliance with the specified schedule.

121.7.1 Application to dismiss owner. If it appears to the petitioner that the person permitted to do the rehabilitation is not proceeding with due diligence or in compliance with the court-ordered schedule, the petitioner may apply to the court for immediate revocation of that person's permission and appointment of a receiver. The bond posted under this section must be applied to the receiver's rehabilitation expenses.

121.8 Appointment of receiver. If no qualified person with an ownership interest requests appointment to rehabilitate the property, or if an appointee is dismissed, the court must appoint a receiver of the property for the purpose of rehabilitating and managing the property or selling it to a qualified buyer.

121.9 Powers of receiver appointed to rehabilitate. A receiver appointed to rehabilitate a vacant building, in addition to all necessary and customary powers, has the right of possession with authority to:

- a. contract for necessary labor and supplies for rehabilitation,
- b. borrow money for rehabilitation from an approved lending institution or through a government agency or program, using the receiver's lien against the property as security,
- c. manage the property after rehabilitation, with all the powers of a landlord, for a period of up to 2 years and apply the rent received to current operating expenses and to repayment of outstanding rehabilitation expenses, and
- d. foreclose on the receiver's lien or accept a deed in lieu of foreclosure.

121.10 Powers of receiver appointed to sell. A receiver appointed to sell a vacant building, in addition to all necessary and customary powers, has authority to:

- a. sell the property to the high bidder at public auction, following the same presale notice provisions that apply to a foreclosure, or
- b. sell the property privately for fair market value if the owner and mortgagee agree to the amount and procedure.

121.10.1 Notice of auction. In the notice of public auction, it is sufficient to describe the property by a street address and by reference to the liber and folio number of the title deed recorded in the land records of Baltimore City.

121.10.2 Buyer qualifications. Before any sale, the bidders in a public sale or the buyer in a private sale must demonstrate the ability and experience needed to rehabilitate the property within a reasonable time.

121.10.3 Application of sale proceeds. After deducting the expenses of the sale, the receiver must apply the proceeds of the sale to the liens against the property, in order of priority.

121.11 Tenure and termination of appointment. The tenure of a receiver may extend no longer than 2 years after rehabilitation. Anytime after rehabilitation, an owner or mortgagee may file a motion to dismiss the receiver on payment of the receiver's outstanding costs, fees, and expenses.

121.12 Final accounting. At the end of his or her tenure, the receiver must file a final accounting with the court. The petitioner may request the court to award reasonable attorney's fees.

121.13 Receiver's lien for costs, etc. Any costs, fees, including attorney's fees, and expenses of rehabilitation that are still outstanding are a lien against the property in accordance with § 117 of this Code. The receiver's lien has priority over all other liens, except taxes and other government assessments.

121.13.1 Foreclosure of lien. A receiver may foreclose on the lien by a sale of the property at public auction, following 1 public notice and notice to interested parties in the manner of a mortgage foreclosure. After deducting the expenses of the sale, the receiver must apply the proceeds of the sale to the liens against the property, in order of priority. In lieu of foreclosure, an owner may pay the receiver's costs, fees, including attorney's fees, and expenses or may

transfer all ownership in the property to either the receiver or an agreed-on third party for an amount agreed to be fair market value.

SECTION 122 *{Reserved}*

SECTION 123 NOTICES

123.1 In general. All notices under this Code must be issued in accordance with this § 123. However, nothing in this Code may be construed to excuse or relieve any person from complying with all provisions of this Code at all times, regardless of whether any notice or order has been issued by the Building Official in any particular case.

123.2 Classification. Notices issued under this Code are classified as either:

- a. condemnation notices, or
- b. violation notices.

123.3 Contents – Condemnation notices. Except as specified in § 123.3.1, every condemnation notice must set forth:

- a. the location of the condemned structure or equipment,
- b. the reason the structure or equipment is condemned,
- c. a reference to applicable provisions of this Code,
- d. a warning against entering or using the condemned structure or equipment,
- e. the right of the person to whom the notice is directed to request a hearing within 10 days of the date on which the notice was served, and
- f. unless to be contained in a follow-up or subsequent notice:
 - 1. a statement of the requirements that must be complied with to rectify the unsafe condition,
 - 2. the time within which the unsafe condition must be rectified, and
 - 3. the Building Official's authority under § 123.8 to take action at the owner's expense.

123.3.1 Follow-up notices. A follow-up or other subsequent notice involving the same condemnation need not repeat the information contained in a prior notice as long as the subsequent notice identifies the prior notice.

123.4 Violation notices. Except as specified in § 123.4.1, every violation notice must set forth:

- a. the location and character of the violation,
- b. a reference to applicable provisions of this Code,
- c. the right of the person to whom the notice is directed to request a hearing within 10 days of the date on which the notice was served, and
- d. unless to be contained in a follow-up or subsequent notice:
 1. a statement of the requirements that must be complied with to rectify the violation,
 2. the time within which the violation must be rectified, and
 3. the Building Official's authority under § 123.8 to take action at the owner's expense.

123.4.1 Follow-up notices. A follow-up or other subsequent notice involving the same violation need not repeat the information contained in a prior notice as long as the subsequent notice identifies the prior notice.

123.5 When notices to be issued. Except as otherwise specified in this Code, notices must be issued in all cases where legal proceedings might be necessary to enforce this Code.

123.5.1 Condemnation notices. For any land, structure, or equipment being condemned, the condemnation notice must be issued to the owner of the land, structure, or equipment.

123.5.2 Violation notices. For violations, the violation notice must be issued to the person who committed or otherwise is responsible for the violation.

123.6 Service of notice – General. Except as otherwise specified in § 123.7, all notices issued by the Building Official must be served on the person that the notice is intended for or on any authorized agent or representative of that person.

123.6.1 More than 1 person responsible. If more than 1 person is responsible for the violation or responsible for complying with this Code, as in a case of property owned by more than 1 person, notice may be served on any 1 of those persons or on any authorized agent or representative of any of them.

123.6.2 Method of service. A notice is properly served if:

- a. served personally on the owner, agent, person in control, former owner, or other person responsible for the property,
- b. hand delivered to that person's home, business, or tax record address, or
- c. sent by certified or registered mail to that person's home, business, or tax record address.

123.6.3 Authorized server. Service under § 123.6.2a or b must be made by:

- a. a member of the Baltimore City Police Department, or
- b. an official or employee of the City or the State of Maryland.

123.7 Service of notice – Posting. Adequate and sufficient notice may be made by posting a copy of the notice on the property in question if:

- a. the identity or whereabouts of the owner, agent, person in control, former owner, or other person responsible for the property is unknown, or
- b. notice mailed under § 123.6 is returned unclaimed or refused or is designated undeliverable by the post office for any other reason, and neither of the following sources can provide a more accurate address:
 - 1. the tax records of the Bureau of Treasury Management, Collections Division, and
 - 2. the property registration files of the Department of Housing and Community Development.

123.8 Failure to comply with notice or citation. If any person fails to comply with a violation notice, condemnation notice, or citation, the Building Official:

- a. may take whatever action is necessary and proper, including the institution of legal proceedings, to compel compliance with the notice or citation or to enforce the penalty provisions of this Code, and
- b. subject to the notice requirements of § 123.8.1, may proceed to repair, rebuild, demolish, or take any other action necessary to eliminate, in whole or in part, or make safe any nuisance, blight, health hazard, or dangerous, insanitary, or unsafe condition that is the subject of the violation notice, condemnation notice, or citation.

123.8.1 Notice of intent to repair, etc. Except as provided in § 123.8.2, before the Building Official proceeds to repair, rebuild, demolish, or take any other action to eliminate or make safe any nuisance, blight, health hazard, or dangerous, insanitary, or unsafe condition, a notice must be posted on the front of the structure stating that the violation has not been rectified and that the Building Official intends to undertake the necessary work and charge the expenses of that work to 1 or more of the owner, agent, person in control, or former owner of the premises, as the case may be. This notice must also be mailed or delivered to the home, business, or tax record address of the owner, agent, person in control, former owner, or other person responsible for the property, as the case may be, or their respective agents.

123.8.2 Exception. The notice required by §123.8.1 need not be given:

- a. in the case of an emergency,
- b. as provided in § 115.7 of this Code for unsafe structures, or

- c. if the initial or any other prior notice or order issued by the Building Official informed the recipient of the Building Official's authority to take corrective action and of the recipient's right to request administrative review.

123.9 Extension of time limit on notices. The Building Official may extend the time within which to comply with a condemnation notice or violation notice if, in the Building Official's judgment, more time is needed to comply.

123.10 Removal or defacement of posted notices. No person may remove, deface, damage, or change any notice, poster, or sign placed under this Code on any land, structure, or other object, until the Building Official authorizes its removal.

123.11 Notices for property owned by the City. If the land, structure, or other object in violation of this Code is owned by the City, the Building Official must notify the head of the bureau, department, commission, or other agency having jurisdiction over that land, structure, or other object.

SECTION 124 VIOLATION REPORTS

124.1 Building Official to issue. On application to the Department or to the Bureau of Liens, the Building Official must issue a violation report for a particular property. The report:

- a. must state whether any violation or condemnation notices have been issued for that property, and
- b. if there has been any, must include a true copy of each notice.

SECTIONS 125 TO 127 {Reserved}

SECTION 128 ADMINISTRATIVE AND JUDICIAL REVIEW

128.1 Right of review. If any person is aggrieved by any notice, order, or decision of the Building Official, the person may apply in writing to the Building Official for a review.

128.2 Application – General. The application for review must:

- a. be made within 10 days of the action for which review is sought,
- b. set forth in full the reasons for the review, and
- c. either be:
 - 1. mailed to the building Official by certified or registered mail, return receipt requested, or
 - 2. delivered to the Building Official's office and stamped receipted by the office.

128.3 Application – Emergencies. In the case of an emergency that presents substantial and imminent danger to life, property, or the general public welfare, the time for requesting review may be shortened or eliminated, as specified in the applicable notice, order, or decision.

128.4 When review to be held. The requested review must be held within a reasonable time. If a notice, order, or decision requires action within 10 days or less and an application for review is made before the notice, order, or decision expires, the Building Official must promptly schedule a hearing, to be conducted in accordance with § 128.5.

128.5 Hearings. The Building Official must conduct all hearings in accordance with this § 128.5.

128.5.1 Hearings to be public. All hearings must be open to the public.

128.5.2 Notification of complainants. Before a hearing, the Building Official must notify all persons who the Building Official knows are interested in the hearing of its scheduled date, time, place, and purpose.

128.5.3 Time and place for hearings. Hearings must be held:

- a. at the time the Building Official designates, and
- b. in the office of the Building Official or at any other place the Building Official designates.

128.5.4 Presiding officer. A hearing officer or 3-person panel designated by the Building Official presides at all hearings. The individual who issued the notice, order, or decision being appealed may not serve as the hearing officer or as a member of the panel.

128.5.5 Rules for conducting hearings. The Building Official may adopt rules and regulations for the proper conduct of hearings.

128.5.6 Decision of Building Official. Within 30 days after a hearing is completed, the Building Official must render a decision.

128.5.6.1 Form and contents. The decision must:

- a. be in writing, and
- b. contain separate statements of:
 1. the findings of fact,
 2. the conclusions of law, applying the relevant Code provisions to the findings of fact, and
 3. the decision or order.

128.5.6.2 Distribution. A copy of the decision must be mailed or delivered to each party or that party's attorney of record.

128.5.6.3 Final administrative decision. A decision issued under this § 128 is a final administrative decision.

128.5.7 Records. The Department must keep a complete record of all papers filed in connection with any hearing, together with a copy of the Building Official's written decision.

128.6 Judicial review. A party aggrieved by the decision may seek judicial review of that decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure. A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

128.6.1 Proceedings not stayed. A judicial review or appeal does not stay any criminal or equitable proceedings or prevent the Building Official from pursuing any other action or enforcement procedure authorized by law.

(Ord. 04-672.)

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. *[As in IBC]*

201.2 Interchangeability. *[As in IBC]*

201.3 Terms defined in other codes. If a term is not defined in this chapter and is defined in one or another of the standards and codes listed in § 101.4 of this Code, the term has the meaning given to it in that standard or code.

201.4 Terms not defined. *[As in IBC]*

SECTION 202 DEFINITIONS

202.1 General. Except as provided in § 202.2, terms that are used in this Code and defined in the International Building Code (2000 Edition) have the meanings given in the International Building Code (2000 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Building Code, the following terms have the meanings given in this § 202.2.

202.2.1 Accessory structure. "Accessory structure" means a structure:

- a. located on the same lot as the main structure, and
- b. the use of which is incidental to that of the main structure.

202.2.2 Agent. “Agent” means, as the context indicates, any person who:

- a. in any particular case involving any property:
 1. is responsible for the management, maintenance, operation, rental, leasing, or sale of the property,
 2. applies for or seeks a permit or certificate from a City authority on behalf of the owner of the property, or
 3. in any way represents the owner of the property,
- b. represents the Building Official, or
- c. in general, represents another.

202.2.3 Authorized use. “Authorized use” means a use of land or structure approved in accordance with the Zoning Code.

202.2.4 Building. “Building” has the meaning stated in IBC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.5 Building Official. “Building Official” has the meaning stated in § 103.1.

202.2.6 Building permit. “Building permit” means any permit issued under this Code.

202.2.7 Certificate of occupancy. “Certificate of occupancy” means an occupancy permit.

202.2.8 Change in occupancy. “Change in occupancy” means a change in the purpose or level of activity on land or within a structure.

202.2.9 Change of use. “Change of use” means change in occupancy.

202.2.10 City. “City” means the Mayor and City Council of Baltimore.

202.2.11 Code. “Code” means, unless otherwise specified, the Building, Fire, and Related Codes of Baltimore City, as further defined in § 101.1.

202.2.12 Condominium. “Condominium” has the meaning stated in § 302.3.1.1.

202.2.13 Demolition. “Demolition”:

- a. means razing or demolition, and
- b. includes removal of the debris resulting from any razing or demolition.

202.2.14 Department. “Department” means, unless the context clearly indicates otherwise, the Department of Building Safety, as further defined in § 103.1.

202.2.15 Department of Building Safety. “Department of Building Safety” has the meaning stated in § 103.1.

202.2.16 Dwelling. “Dwelling” includes, but is not limited to, any one or more of the following:

202.2.16.1 Boarding house. *[As in IBC]*

202.2.16.2 Dormitory. “Dormitory” means a space in a building that provides group sleeping accommodations in 1 room or in a series of closely associated rooms for persons not members of the same family group.

202.2.16.3 Multiple-family dwelling. “Multiple-family dwelling” means a building or part of a building that contains more than 2 dwelling units.

202.2.16.4 1-family dwelling; single-family dwelling unit. “1-family dwelling” or “single-family dwelling unit” means a building that contains only 1 dwelling unit and is used only for that purpose.

202.2.16.5 2-family dwelling. “2-family dwelling” means a building that contains 2 dwelling units and is used only for that purpose.

202.2.17 Dwelling unit. “Dwelling unit” means a single unit that provides or that is designed or intended to provide complete, independent living facilities for 1 or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

202.2.18 High-rise building. “High-rise building” has the meaning stated in Article 38A, § 49 of the Maryland Code.

202.2.19 International Codes.

202.2.19.1 Energy Conservation Code. “Energy Conservation Code” means the International Energy Conservation Code (2000 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.19.2 Fire Code. “Fire Code” means the International Fire Code (2000 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.19.3 Mechanical Code. “Mechanical Code” means the International Mechanical Code (2000 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.19.4 Property Maintenance Code. “Property Maintenance Code” means the International Property Maintenance Code (2000 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.20 May not, etc. “May not”, “must not”, and “no ... may” are each mandatory negative terms used to establish a prohibition.

202.2.21 Mortgage. “Mortgage” includes a deed of trust or other deed in the nature of a mortgage.

202.2.22 Mortgagee. “Mortgagee” includes a beneficiary under a deed of trust or other deed in the nature of a mortgage.

202.2.23 Must/shall. “Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

202.2.24 National Codes.

202.2.24.1 Electrical Code. “Electrical Code” means the National Electrical Code (1999 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.24.2 Fuel Gas Code. “Fuel Gas Code” means the National Fuel Gas Code (1999 Edition), as supplemented, amended, or otherwise modified by Baltimore City.
(Ord. 04-672.)

202.2.24.3 Plumbing Code. “Plumbing Code” means the National Standard Plumbing Code (2000 Edition, 2001 Supplement), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.25 Occupancy. “Occupancy” means:

- a. the state of occupying or using any land or structure, or
- b. the act of taking, holding possession of, or using any land or structure, or
- c. the purpose for which any land or structure is used or occupied.

(Ord. 04-672.)

202.2.26 Occupancy permit. “Occupancy permit” means a permit that:

- a. signifies compliance with this Code and related laws, and
- b. indicates the Building Official’s approval to occupy a structure for the authorized use.

202.2.27 Occupant. “Occupant” means any person who uses or who has the right of possession of all or any part of a structure or premises.

202.2.28 Operator. “Operator” means any person who has charge, care, or control of all or any part of a structure or premises.

202.2.29 Person. “Person”:

- a. means any individual, sole proprietorship, corporation, limited liability company, firm, partnership, association, organization, joint venture, or other entity or group acting as a unit, executor, administrator, trustee, receiver, guardian, or other representative appointed by law, and

- b. whenever used in this Code with reference to liability or to the imposition of a penalty or fine, includes:
 - 1. as to an unincorporated firm, partnership, association, organization, or joint venture, the partners or members of the firm, partnership, association, organization, or joint venture,
 - 2. as to a corporation, the officers, trustees, agents, or members of the corporation who are responsible for the violation of any relevant code provision, and
 - 3. in addition, the responsible officer, trustee, partner, or member designated on a Registration Statement made under City Code Article 13, Subtitle 4 {“Registration of Residential Properties”}.

202.2.30 Premises. “Premises” means a lot or group of lots, together with all or any part of any buildings or structures on the lot or group of lots, considered as a unit devoted to a particular use, including accessory structures and open spaces required or used in connection with that particular use.

202.2.31 Rehabilitation. “Rehabilitation” means all repairs and other work, of any kind, needed to make a dwelling or other structure fit to be occupied for its authorized use in conformity with all applicable standards and requirements of this Code.

202.2.32 Related laws. “Related laws” has the meaning stated in § 104.6.2.

202.2.33 {Reserved}

202.2.34 {Reserved}

202.2.35 Structure. “Structure” has the meaning stated in IBC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.36 Stabilization. “Stabilization”, with reference to a structure that has been declared unsafe or unfit for occupancy, means all work of any kind, not amounting to rehabilitation, that is needed, or that is performed or required by the Building Official, to make the structure safe and secure, to prevent its further deterioration, and to eliminate its blighting influence.

202.2.37 Transfer. “Transfer”, when used with respect to property subject to this Code, has the meaning stated in § 113.23.

202.2.38 Use. “Use” means, unless the context indicates otherwise:

- a. the purpose for which a building, structure, or land is used, occupied, or intended to be used or occupied, and
- b. any activity, occupation, business, or operation carried out on land or in a building or structure.

202.2.40 Zoning Code. “Zoning Code” means the Zoning Code of Baltimore City, including the accompanying Zoning District Maps.

CHAPTER 3 USE AND OCCUPANCY CLASSIFICATION

SECTION 301 GENERAL *[As in IBC]*

SECTION 302 CLASSIFICATION

302.1 In general. *[As in IBC]*

302.1.1 Incidental use areas. *[As in IBC]*

Exception: *[As in IBC]*

Table 302.1.1
Incidental Use Areas
[As in IBC, except for following]

Room or Area	Separation
Laundry rooms over 100 square feet	1 hour and automatic sprinkler system
Storage rooms over 100 square feet	1 hour and automatic sprinkler system
Group I-3 padded cells	1 hour and automatic fire suppression system
Waste and linen collection room over 100 square feet	1 hour and automatic sprinkler system

302.1.1.1 Separation *[As in IBC]*

302.2 Accessory use area. *[As in IBC]*

302.3 Mixed occupancies. *[As in IBC]*

302.3.1 Two or more uses. *[As in IBC]*

302.3.1.1 Condominiums. For purposes of fire separation, egress, and other building code requirements, condominium units and spaces are the same as tenant separation requirements as specified in Tables 602 and 302.3.3.

Definition: “Condominium” means a property that is bounded by enclosing lot lines in which tenant units or spaces are owned individually, but each unit is subject to communal or collective ownership of the building, its structures, and its grounds.

302.3.2 Nonseparated uses. *[As in IBC]*

302.3.3 Separated uses. *[As in IBC]*

SECTIONS 303 TO 307 *[As in IBC]*

SECTION 308 INSTITUTIONAL GROUP I

308.1 Institutional Group I. *[As in IBC]*

308.2 Group I-1. *[As in IBC]*

308.3 Group I-2. *[As in IBC]*

308.3.1 Child care facility. A child care facility that provides care on a 24-hour basis to more than 8 children 2½ years of age or less is classified as Group I-2.

308.4 Group I-3. *[As in IBC]*

308.5 Group I-4, day care facilities. This group includes buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than home of the person cared for. A facility like this with 8 or fewer persons is classified as a Group R-3. Places of worship during religious functions are not included.

308.5.1 Adult care facility. A facility that provides accommodation for less than 24 hours for more than 8 unrelated adults and provides supervision and personal care services is classified as Group I-4.

308.5.2 Child care facility. A facility that provides supervision and personal care on less than a 24-hour basis for more than 8 children 2½ years of age or less is classified as Group I-4.

Exception: A child care facility that provides care for more than 8 but not more than 100 children 2½ years of age or less, where the rooms in which those children are cared for are located on the level of exit discharge and where each of these rooms has an exit door directly to the exterior, is classified as Group E.

SECTION 309 MERCANTILE GROUP M *[As in IBC]*

SECTION 310 RESIDENTIAL GROUP R

310.1 Residential Group R. *[As in IBC, except for R-3 and R-4, as follows:]*

R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, or I and where buildings do not contain more than 2 dwelling units, or

adult and child care facility that provide accommodations for 8 or fewer persons of any age and comply with the Zoning Code.

Also, a building or a portion of a building that contains more than 2 dwelling units with independent means of egress and separated with fire partitions complying with § 708 of this Code.

R-4 Residential occupancies that comprise buildings arranged for occupancy as Residential Care/Assisted Living Facilities with more than 8 but no more than 16 persons excluding staff.

Group R-4 occupancies must meet the construction requirements for Group R-3 except for the height and area limitations provided in § 503 of this Code.

SECTION 311 STORAGE GROUP S *[As in IBC]*

SECTION 312 UTILITY AND MISCELLANEOUS GROUP U *[As in IBC]*

CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

SECTION 401 SCOPE *[As in IBC]*

SECTION 402 COVERED MALL BUILDINGS *[As in IBC]*

SECTION 403 HIGH-RISE BUILDINGS

403.1 Applicability. This § 403 applies to all “high-rise buildings”, as defined in Article 38A, § 49 of the Maryland Code.

403.2 - 403.9 *[As in IBC]*

403.10 Standby power, light, and emergency systems. *[As in IBC]*

403.10.1 Standby power. *[As in IBC]*

403.10.1.1 - 403.10.1.2 *[As in IBC]*

403.10.1.3 Connected facilities. All power and lighting facilities for the fire command station required by § 403.8, for the elevators and elevator service required by § 403.9, and for the electrically powered fire pumps required to maintain pressure must be transferable to the standby source. Standby power must be provided for at least 1 elevator to serve all floors and must be transferable to any elevator.

403.10.1.4 Permitted sources of power. The standby power system required by § 403.10.1 may consist of 1 or more systems of independent sources of power, including but not limited to storage batteries, generator sets, and unit equipment (as described in NEC § 701-11(a), (b), (c), and (f)).

403.10.1.5 Downtown business buildings. In Group B (business) buildings in the downtown area, the connection of fire pumps to a standby power system is not required if they are connected to 2 underground radial feeders or to a 2-feeder network system of the Baltimore Gas and Electric Company.

403.10.1.6 High-rise buildings. Diesel-engine motors may be used to drive fire pumps in high-rise buildings.

403.11 Stairway door operation. All stairway doors that are to be locked from the stairway side must be capable of being unlocked simultaneously, without unlatching, on a signal from the fire command station, on activation of the fire alarm system, or on loss of power to the building.

403.11.1 Stairway communication system. *[As in IBC]*

403.12 Seismic considerations. *[As in IBC]*

403.13 Smoke-control systems. Natural or mechanical ventilation for products of combustion, consisting of 1 of the methods described in this § 403.13, must be provided in every story of the building.

403.13.1 Panels or windows. In each story, tempered glass panels or operable windows must be:

- a. provided in exterior walls at the rate of 20 square feet (1.86 sq. m.) for each 50 lineal feet (15.24 m) of exterior wall, and
- b. distributed around the perimeter at not more than 50-foot (15.24 m) intervals.

If tempered glass panels are used, the panels must be clearly and permanently marked.

403.13.2 Mechanical systems. If a building is equipped throughout with an automatic sprinkler system installed in accordance with § 903.3.1.1 of this Code, and if the mechanical air-handling equipment is designed to accomplish smoke containment, the return and exhaust air must be moved directly to the outside, without recirculation to other fire areas of the building under fire conditions. Exhaust capacity in cubic feet per minute must equal at least the fire area divided by 10. Supply air by mechanical means to the fire area is not required. "Smoke containment" means confining smoke to the fire area involved without migration to other fire areas.

403.13.3 Other systems. Any other system is permitted if:

- a. it will adequately manage smoke from each fire area served, and
- b. the system is tested and approved by the Building Official before the building is certified for occupancy.

SECTION 404 ATRIUMS *[As in IBC]*

SECTION 405 UNDERGROUND BUILDINGS *[As in IBC]*

SECTION 406 MOTOR-VEHICLE-RELATED OCCUPANCIES**406.1 Private garages and carports. [As in IBC]****406.2 Parking garages. [As in IBC]****406.3 Open parking garages. [As in IBC]****406.3.1 - 406.3.13 [As in IBC]**

406.3.14 Oil interceptors. Notwithstanding the plumbing regulations in Chapter 29 of this Code, open parking structures need not have oil interceptors in the floor drain system.

406.3.15 Ramp slope. The maximum vehicular ramp slope may not exceed 12½% or 1 unit vertical to 8 units horizontal (1:8).

406.3.16 Headroom. In a parking garage:

- a. the clear height from the finished floor to the finished ceiling or lowest projection must be at least 7 feet (2.13 m) measured vertically, and
- b. all equipment and appliances must be installed at least as high as specified in IMC § 304.3.

406.4 Enclosed parking garages.**406.4.1 Heights and areas. [As in IBC]****406.4.2 Ventilation. [As in IBC]**

406.4.3 Ramp Slope. The maximum vehicular ramp slope must conform with § 406.3.15 of this Code.

406.4.4 Headroom. The minimum clear headroom must conform with § 406.3.16 of this Code.

406.5 Motor vehicle service station. [As in IBC]**406.6 Repair garages. [As in IBC]****SECTIONS 407 TO 414 [As in IBC]****SECTION 415 GROUPS H-1, H-2, H-3, H-4, AND H-5****415.1 - 415.6 [As in IBC]****415.7 Group H-2. [As in IBC]**

415.7.1 Combustible dusts, grain processing, and storage. [As in IBC]

415.7.2 Flammable and combustible liquids. [As in IBC]

415.7.3 Liquefied petroleum gas distribution facilities. The design and construction of propane, butane, propylene, butylene, and other liquefied petroleum gas distribution facilities must conform to the applicable provisions of §§ 415.7.3.1 through 415.7.3.5.2. The storage and handling of liquefied petroleum gas systems must conform to the International Fire Code. The design and installation of piping, equipment, and systems that utilize liquefied petroleum gas must be in accordance with the National Fuel Gas Code. Liquefied petroleum gas distribution facilities must be ventilated in accordance with the International Mechanical Code and § 415.7.3.1.

(Ord. 06-247.)

415.7.3.1 - 415.7.3.5 [As in IBC]

415.7.4 Dry cleaning plants. The construction and installation of dry cleaning plants must be in accordance with this Code, the International Mechanical Code, and NFPA 32. Dry cleaning solvents and systems must be classified in accordance with the International Fire Code.

415.8 Groups H-3 and H-4. [As in IBC]

415.9 Group H-5.

415.9.1 General. [As in IBC]

415.9.2 Fabrication areas.

415.9.2.1 - 415.9.2.7 [As in IBC]

415.9.2.8 Electrical.

415.9.2.8.1 General. Electrical equipment and devices within the fabrication area must comply with the National Electrical Code. The requirements for hazardous locations need not be applied where the average air change is at least 4 times that set forth in § 415.9.2.6 and where the number of air changes at any location is not less than 3 times that required by § 415.9.2.6. The use of recirculated air is permitted.

415.9.2.8.2 Work stations. [As in IBC]

415.9.3 - 415.9.11 [As in IBC]

SECTIONS 416 TO 418 [As in IBC]

SECTION 419 PARKING LOTS AND DRIVEWAYS

419.1 Driveway entrances. All driveway entrances located on a public right-of-way must be constructed in accordance with the rules and regulations of the Department of Public Works.

419.2 Surface paving. Parking lots, parking pads, and private roads must be paved with asphalt, brick, concrete, macadam, or stone block. The paving must be able to support the design loads for the proposed vehicular traffic.

419.2.1 Grass paving blocks. Paving blocks designed to support vehicular traffic while allowing grass to grow through may only be used for overflow parking in excess of the minimum parking spaces required by the Zoning Code.

419.3 Surface drainage. Paved surface drainage must be so directed that water will not flow across an adjoining property line or sidewalk, except at a driveway to a paved public street, paved public alley, or other approved water course.

419.4 Parking spaces. The size, layout, and arrangement of parking spaces must comply with:

- a. the Zoning Code,
- b. the Maryland State Accessibility Code, and
- c. the rules and regulations of the City Planning Commission.

419.5 Curbs or bumpers. Curbs or bumpers must be installed for all parking spaces. Each curb or bumper must be:

- a. made of concrete, wood, or an approved metal wheel stop,
- b. at least 6 inches (152 mm) high and 8 inches (203 mm) wide,
- c. securely fixed in place, and
- d. located:
 1. at least 4 feet (1.22 m) from the parking lot perimeter, or
 2. for parking spaces that are parallel to the perimeter of the parking lot, at least 2 feet (0.61 m) from the perimeter.

SECTION 420 {Reserved}

SECTION 421 GREENHOUSES

421.1 General. Structures with glazed surfaces that are used only for horticulture are classified as greenhouses. These structures must be independent and separated from other buildings on the same lot. All greenhouses must conform to the requirements of this Code for exits and for materials.

421.2 Commercial greenhouses. Commercial greenhouses are classified as Group S-2, Low Hazard Storage Buildings, and must comply with Tables 503, 601, and 602.

421.3 Residential greenhouses. Greenhouses that are located on a lot zoned for residential use are classified as Group U, Utility and Miscellaneous Structures.

421.3.1 Height. Residential greenhouses may not exceed 20 feet (6.10 m) above grade.

421.3.2 Size. The floor area of a residential greenhouse must conform to the requirements of the Zoning Code.

421.3.3 Location. Residential greenhouses must be located at least 36 inches (914 mm) from any property line or other structure.

SECTION 422 DOWNTOWN FIRE DISTRICT

422.1 Fire District. The Downtown Fire District comprises all of the following area (boundary lines to be in the center of the specified streets):

Beginning at the intersection of Fallsway and Madison Street, thence in a general southerly and southeasterly direction along Fallsway to Baltimore Street, thence westerly along Baltimore Street to West Falls Avenue, thence southerly along West Falls Avenue to Pratt Street, thence easterly along Pratt Street to East Falls Avenue, thence southerly along East Falls Avenue to Aliceanna Street, thence westerly along an imaginary line connecting the intersection of East Falls Avenue and Aliceanna Street to the intersection of Light Street and Lee Street, thence westerly along Lee Street to Russell Street, thence northerly along Russell Street to Greene Street, thence northerly along Greene Street to Pennsylvania Avenue, thence northwesterly along Pennsylvania Avenue to St. Mary Street, thence northeasterly along St. Mary Street to Eutaw Street, thence southerly along Eutaw Street to Madison Street, thence easterly along Madison Street to its intersection with Fallsway, the point of beginning.

422.2 General requirements. New buildings and structures, and additions to existing buildings and structures, within the Downtown Fire District must be constructed:

- a. within the height and area limitations of Table 503 of this Code, and
- b. of 1 of the following types of construction, as defined in Chapter 6 and regulated in Tables 601 and 602 of this Code:
 1. fireproof (Type 1),
 2. protected noncombustible (Types 2A and 2B),
 3. unprotected noncombustible (Type 2C),
 4. ordinary protected (Type 3A), or
 5. heavy timber (Type 4).

422.3 Types 3B, 5A, and 5B construction not permitted. New buildings and structures, and additions to existing buildings and structures, within the Downtown Fire District may not be of Type 3B, 5A, or 5B construction, as defined in Chapter 6 of this Code.

SECTION 423 PIERS AND MARINAS

423.1 General. All piers and marinas constructed along the shoreline of the City must comply with the requirements of this § 423, in addition to all other applicable provisions of this Code.

423.2 Plans and specifications. All proposed work for piers and marinas requires plans and specifications that illustrate, describe, and specify the proposed work in sufficient detail and clarity.

423.3 Approvals. Before a building permit may be issued for the construction of a pier or marina, the pier or marina must be approved by:

- a. the U.S. Army Corps of Engineers (Baltimore District),
- b. the State of Maryland,
- c. the Division of Construction and Buildings Inspection,
- d. the Baltimore City Fire Department, and
- e. the Baltimore City Department of Public Works.

423.4 Design. All shoreline and offshore freestanding piers, with or without buildings, must be designed in accordance with:

- a. the design manuals of the Federal Emergency Management Agency, and
- b. the requirements of this Code.

423.5 Structural design for piers. Minimum live load requirements are as follows:

- a. for static or fixed piers or marinas for light duty uses, 60 pounds per square foot, and
- b. for heavy duty live loads and for structures constructed on piers, as required by Chapter 16 of this Code.

423.6 Structures on piers. Every structure that is constructed on a pier, wharf, dock, bulkhead, breakwater, piles, or other similar structure must comply with this § 423 and all other applicable provisions of this Code and other law.

(Ord. 04-803.)

SECTION 424 CIRCUSES AND CARNIVALS

424.1 Definition. “Circus” or “carnival” means any use of public or private land, streets, lanes, or alleys for fetes, bazaars, circuses, street carnivals, carnivals, feats of horseback-riding ability, acrobatic stunts, trained animal acts, clowning, and other similar performances, mechanical rides, or other amusement devices to which the public is admitted, and includes any temporary stands or facilities for selling or dispensing products for human consumption in connection with these uses.

424.2 Scope. This section covers regulations for circuses and carnivals that are not provided for in other sections of this Code.

424.3 Permit required. Before any person may begin to set up any structure, appliance, or equipment for a circus or carnival, the person must obtain the appropriate permit from the Building Official.

424.3.1 Application for permit. The application for the permit must be:

- a. filed at least 10 days before the opening date of the circus or carnival, and
- b. signed by a responsible person or official acting for the applicant.

424.3.2 Referral of application. The Building Official must immediately refer each application to the following, for their recommendations:

- a. the Police Commissioner,
- b. the Director of Public Works,
- c. the Chief of the Fire Department, and
- d. the Commissioner of Health.

424.3.3 Disapproval of Police Commissioner. If the Police Commissioner disapproves the application:

- a. the Police Commissioner must return it to the Building Official, with a statement of the reasons for the disapproval, and
- b. the Building Official may not issue the permit.

424.3.4 Approval of Police Commissioner. If the Police Commissioner approves the application, the Building Official must:

- a. issue the permit, subject to any recommendations of the Police Commissioner, Public Works Director, Fire Chief, and Health Commissioner, and
- b. immediately send a copy of the permit to each of them.

424.4 Insurance for mechanical rides, etc. Every application for a circus or carnival permit must specify whether or not mechanical rides or devices will be used in connection with the circus or carnival. If mechanical rides or devices will be used, the person supplying these rides or devices must, before the permit may be issued, furnish satisfactory evidence of insurance, in an amount that the Building Official, in his or her discretion, considers sufficient, to:

- a. insure the applicant against liability for damage or injury to property or person, including death, due to faulty equipment or negligence, and
- b. indemnify the City against any suit, loss, claim, damages, or expense to which the City is subjected because of any damage or injury to property or person, including death, or injury to any public highway or other public property done by or in connection with the transportation, erection, operation, maintenance, or supervision of a mechanical ride or device.

424.5 Financial responsibility. Before a permit may be issued, the applicant must furnish proof of financial responsibility, in the form of a certificate of insurance from an insurer authorized to do business in this State. The certificate of insurance must state that the circus or carnival is insured

against any legal liability (other than that covered by § 424.4), caused by accidents or otherwise and resulting in damage or injury to property or person, including death, as a consequence of the ownership, operation, or maintenance of the circus or carnival or otherwise in any way connected with the circus or carnival. The insurance must be for at least the amount that the Building Official, in his or her discretion, considers sufficient to protect the public.

424.5.1 Nonresident applicants. If the applicant is not a resident of the City, the applicant and the insurer must execute a power of attorney that authorizes the Building Official to accept on their behalf service of notices, processes, and any actions arising out of the ownership, operation, or maintenance of the circus or carnival or otherwise in any way connected with the circus or carnival. If the applicant is a nonresident corporation, the corporation, in addition to complying with all other requirements of this Code, must submit with its application a certificate from the Maryland Department of Assessments and Taxation certifying that it is a corporation authorized to do business in this State.

424.5.2 Nonprofit entities excepted. This § 424.5 does not apply to any applicant that is a church, school, charitable organization, veterans' organization, or other nonprofit organization.

424.6 Zoning requirements. The provisions of the Zoning Code that prohibit carnivals in residential areas do not apply to a carnival that:

- a. is operated under a permit issued to a church, school, charitable organization, veterans' organization, or other nonprofit organization, and
- b. operates for no more than 15 days in any 1 calendar year.

424.7 Layout. Every circus and carnival must be laid out as provided in this § 424.7.

424.7.1 Main aisle. A main aisle or concourse must:

- a. extend entirely through the circus or carnival,
- b. open at both ends on a street or other public way that leads to a street at least 30 feet (9.14 m) wide, and
- c. be at least 10 feet (3.05 m) wide for a length of up to 100 feet (30.48 m), plus an additional 2½ feet (0.76 m) in width for each additional 100 feet (30.38 m) or fraction of 100 feet (30.38 m) in length.

424.7.2 Side or branch aisles. Side or branch aisles that are open at both ends must be at least 6 feet (1.83 m) wide for a length of up to 50 feet (15.24 m), plus an additional 1 foot in width for each additional 50 feet (15.24 m) or fraction of 50 feet (15.24 m) in length. Side or branch aisles that are open at only 1 end must be at least twice the width for side or branch aisles that are open at both ends.

424.8 Circus and carnival structures. Circus and carnival structures, in addition to complying with all other applicable provisions of this Code, must comply with the requirements of this § 424.8.

424.8.1 Tents. All tents must conform to the requirements for temporary structures in § 3103 of this Code.

424.8.2 Exits and lighting. Every tent and other structure must be provided with adequate exits. The means of egress and the width and number of exits are based on and must comply with the general requirements of Chapter 10 of this Code for exits and means of egress in assembly structures, which apply in addition to the requirements of this section for general layout. All exits and aisles must be well lighted whenever the tent or structure is occupied.

424.8.3 Mechanical rides and devices. No merry-go-round, Ferris wheel, whip, or other mechanical ride or device may be operated without a permit from the Building Official. All mechanical rides and devices must be designed, constructed, and erected in accordance with applicable State regulations.

424.8.4 Concession stands. Concession stands must be of either:

- a. standard prefabricated construction, or
- b. special construction approved by the Building Official for the particular purpose.

424.9 Electrical and mechanical requirements. All electrical work must conform to the requirements of Chapter 27 of this Code. All mechanical work must conform to the requirements of this Code.

424.10 Maintenance and operation. Every circus or carnival must be maintained and operated so as not to cause a hazard or injury to life or property. The applicant is responsible for:

- a. maintaining the site in a sanitary and clean condition at all times, and
- b. when the circus or carnival leaves, cleaning all debris and rubbish from the site and from all streets and alleys in the vicinity.

424.11 Police to police operations. The Police Commissioner is responsible for keeping a close watch on every circus or carnival to determine whether any laws are being violated.

SECTION 425 FENCES

425.1 Location. A fence may be built only on the property of the owner of the fence. However, if the owners of adjoining property agree to build a fence on the property line between them, they may do so if they both submit, with the application for the permit, a written statement of their agreement.

425.2 Height. Except as otherwise specified in this § 425.2, the height of a fence may not exceed 42 inches (1067 mm), measured on the high side.

425.2.1 Enclosing dwellings. Fences enclosing dwellings may be as high as, but may not exceed, 6 feet (1.83 m) if located in side or rear yards.

425.2.2 Enclosing certain other buildings. Fences enclosing buildings used for public assembly, private assembly, institutions, offices, commercial storage, or industrial occupancies may be as high as, but may not exceed, 8 feet (2.44 m).

425.2.3 Special purposes. For special purposes like protection around dangerous places, highly hazardous operations, or athletic fields, and in similar cases where a high fence is necessary for the safety of the public, fences may be higher than 8 feet (2.44 m) to the extent specially authorized by the Building Official.

425.3 Construction. Fences may be built of any material or construction that is permitted in this Code for exposed structures. However, all fences must be designed and constructed, in accordance with the applicable structural provisions of this Code, to resist from any direction a horizontal force of 20 pounds per square foot, applied normal to and over either the gross area of the fence or the net area of the fence plus 50% of the gross area, whichever is less.

425.3.1 Wood fences. The posts for wood fences must be:

- a. locust, heart cedar, or any other wood that will resist decay underground,
- b. any wood that has been treated in accordance with this Code, or
- c. any good timber set in concrete.

425.3.2 Wire fences. Wire fences must be constructed with wire mesh substantially fabricated and constructed so as to resist a nominal horizontal load of 500 pounds without deflecting more than 6 inches (152 mm). The posts for wire fences must be metal posts set in concrete, properly designed masonry posts, or wood posts of the type required for wood fences.

425.3.3 Metal fences. Metal fences must be of a substantial design and construction approved by the Building Official. The posts for metal fences must be concrete, masonry, or metal set in concrete or masonry.

425.3.4 Masonry fences. Masonry fences must be of reinforced concrete or other masonry and must be designed and constructed in accordance with the requirements governing reinforced concrete or freestanding masonry walls. All masonry fences must extend at least 2 feet (0.61 m) into the ground.

425.3.5 Combination fences. Fences that consist of 2 or more kinds of materials may be built as long as all applicable requirements of this Code for those materials and construction are met. The total aggregate height of a combination fence must be used in determining the height limitations for that fence.

425.4 Solid fences. If a solid fence is constructed of materials other than masonry or reinforced concrete, the top of the fence may not be more than 42 inches (1067 mm) above the ground in any location. If posts are used to support a fence in a masonry wall, the posts must be set in concrete or masonry that is at least 3 inches (76 mm) thick.

425.4.1 Definition. “Solid fence” means any fence in which:

- a. the opening between the pickets, boards, bars, rods, or other enclosing materials is less than 1 inch (25 mm), or
- b. the net area of these openings is less than 10% of the area of a 1-foot (305-mm) unit length of the fence.

425.5 Sharp points, projections, etc. No fence may have any projecting sharp points, jagged edges, or other projections that can injure persons or animals coming in contact with the fence.

425.5.1 Fence tops. No fence less than 3 feet 6 inches (1.07 m) high may have any sharp pickets or vertical pointed objects at the top. Barbed wire or other approved retarding material or construction may be placed on the top of any fence that is more than 6 feet 9 inches (2.06 m) high, unless the barbed wire or other retarding material will create a highly hazardous condition.

425.5.2 Razor wire. Razor wire may not be used anywhere in any fence.

425.6 Maintenance. Every fence must be maintained in good repair by its owner. The Building Official may determine the sufficiency of any fence and the amount and character of repairs required to make it safe.

425.7 Nonconforming fences. Any existing fence that does not comply with the requirements of this § 425 is permitted to continue to exist and be repaired at any time, unless the fence has deteriorated more than 50%. All nonconforming fences that have deteriorated more than 50% or beyond repair must be removed or reconstructed in accordance with the requirements of this Code.

SECTION 426 ROOF DRAINAGE

426.1 General. Gutters, downspouts, and leaders must be provided on all buildings to properly collect, conduct, and discharge the water from their roofs into a storm drain or into the driveway of an alley, street, or other public way. No water from any building may be discharged so as to run or flow over any sidewalk, footway, or any adjoining property, except from window sills, copings, or cornices that project no more than 1 foot (305 mm).

426.2 Exceptions. Section 426.1 does not apply to:

- a. roofs, cornices, copings, or other similar projections that are less than 5 feet (1.52 m), measured horizontally in the line of flow, as long as the water from them is not discharged on any sidewalk, footway, or adjoining property, or
- b. awnings or marquees that discharge off the outer edge.

426.3 Methods. Drainage must be conveyed in 1 of the following methods.

426.3.1 Method 1. Drainage may be discharged by piping to a storm drain, to the street or alley, or to an approved water course. The installation of piping, connections to storm drains, etc., must be made in accordance with the plumbing regulations of Chapter 29 of this Code.

426.3.2 Method 2. Drainage may be discharged not less than 10 feet (3.05 m) from the building, from other buildings, or from any adjacent property line, as long as the discharge is in such a manner as not to allow drainage to cross adjacent property lines or sidewalks.

426.4 Individual downspouts. Gutters of buildings on adjoining properties may not be connected with common downspouts or leaders, but each building must have individual downspouts or leaders on its own property. If a building is more than 4 stories or 50 feet (15.24 m) high, its leader and downspouts must be inside the building's exterior walls.

426.5 Relief scuppers. Roofs with interior roof drains and enclosed by parapet walls that will impound water must be provided with relief scuppers placed in the parapet wall not more than 6 inches (152 mm) above the roof level. The openings of these relief scuppers must be at least 6 inches (152 mm) in diameter. Each 6-inch (152-mm) diameter relief scupper opening may only serve a roof area of not more than 1,000 square feet (92.9 square meters).

426.5.1 Internal relief drains. Internal relief drains may be used instead of relief scuppers. Internal relief drains must be independent of the required roof drains.

SECTION 427 PAVED SURFACE DRAINAGE

427.1 General. Storm drainage off paved surface areas, such as parking lots, playgrounds, and plazas, must be properly conveyed to paved alleys, paved streets, or other approved water courses.

427.2 Limitations. No drainage may be discharged:

- a. so as to run or flow over any sidewalk or footway, except at a driveway with a depressed curb, or
- b. across any adjoining property.

427.3 Methods. Drainage must be piped to a storm drain, to the street or alley, to a paved swale, or to another approved water course. The installation of piping, connections to storm drains, etc., must be made in accordance with the plumbing regulations of Chapter 29 of this Code.

SECTION 428 CHESAPEAKE BAY CRITICAL AREA DEVELOPMENT

428.1 General. The Baltimore City Critical Area Management Program, as adopted by the Department of Planning to guide and restrict development within the Baltimore City Critical Area, must be complied with. The requirements of that Program are in addition to all other City, state, and federal laws and regulations governing construction and development within the Baltimore City Critical Area. In case of any conflict, the more restrictive requirement prevails within the Critical Area.

428.2 Compliance required. Any development activity within the Baltimore City Critical Area or the Buffer, including the construction, reconstruction, rehabilitation, demolition, alteration, or expansion of structures, or the filling, dredging, mining, storing materials, excavation, clearing, grading, paving, or improvement of land, must comply with the applicable development requirements of the Critical Area Program Document (the "CAMP Document"), as amended from time to time.

428.3 Enforcement. Any violation of the CAMP Document is a violation of this Code, subject to enforcement under § 113 of this Code.

SECTION 429 TREES AND SHRUBBERY

429.1 Pruning or removal. All trees and shrubbery that are dangerous to life or property or that create a fire or traffic hazard must be pruned or removed by the owner to eliminate the danger or hazard.

429.2 Protection. All trees and shrubbery must be protected against injury during any building operations, and no tree or shrubbery may be removed without the consent of its owner.

429.3 Planting on public property. No tree or shrubbery may be planted:

- a. on any street or other public way without permission from the Director of Recreation and Parks or the Director of Public Works, or
- b. on any other public property without permission from the department, bureau, or other public agency having jurisdiction over that property.

SECTION 430 LOCATION OF BUILDINGS

430.1 Construction of structure. When constructed, every structure must be located so that it does not create a violation of this Code.

430.2 Relocation, etc., of lot lines, etc. No lot or property line may be moved or relocated and no lot or parcel of land may be subdivided in any way that creates a violation of this Code for any structure.

CHAPTER 5 GENERAL BUILDING HEIGHTS AND AREAS

SECTIONS 501 TO 503 [As in IBC]

SECTION 504 HEIGHT MODIFICATIONS

504.1 General [As in IBC]

504.2 Automatic sprinkler increase {per MBPS Modification}. The maximum number of stories specified in Table 503 and the value specified in that Table for maximum height are increased as follows, these increases being permitted in addition to any area increase under §§ 506.2 and 506.3:

- a. 1 story and 20 feet (6096 mm), if the building is equipped throughout with an automatic sprinkler system installed in accordance with § 903.3.1.1 of this Code,
- b. 1 story and 20 feet (6096 mm) but not to exceed a height of 4 stories and 60 feet (18,288 mm) above grade level, if the building has an occupancy in Group R-1, R-2, or R-4 and is equipped throughout with an automatic sprinkler system installed in accordance with § 903.3.1.2 of this Code, and

- c. 1 story and 20 feet (6096 mm) but not to exceed a height of 4 stories and 60 feet (18,288 mm) above grade level, if the building has an occupancy in Group R-3 and is equipped throughout with an automatic sprinkler system installed in accordance with § 903.3.1.3. (Ord. 06-187.)

Exceptions: *[As in IBC]*

504.3 Roof Structures *[As in IBC]*

SECTIONS 505 TO 508 *[As in IBC]*

CHAPTER 6 TYPES OF CONSTRUCTION *[As in IBC]*

CHAPTER 7 FIRE-RESISTANCE-RATED CONSTRUCTION

SECTIONS 701 TO 704 *[As in IBC]*

SECTION 705 FIRE WALLS

705.1 - 705.5 *[As in IBC]*

705.6 Vertical continuity {Per MBPS Modification}. Fire walls must extend from the foundation to a termination point at least 30 inches (762 mm) above both adjacent roofs.

Exceptions:

[Exceptions 1 - 5: As in IBC]

6. In Groups R-2 and R-3 as applicable in § 101.2 of this Code, walls are permitted to terminate at the roof sheathing or deck in Types III, IV, and V construction, if:
 - 6.1. the roof sheathing or deck is constructed of approved noncombustible materials or of fire-retardant-treated wood for a distance of 4 feet (1220 mm) on both sides of the wall, or
 - 6.2. the building is equipped throughout with an automatic sprinkler system installed in accordance with § 903.3.1.1 or § 903.3.1.2 for Group R-2, and § 903.3.1.1, § 903.3.1.2, § 903.3.1.3 for Group R-3, or
 - 6.3. all of the following:
 - 6.3.1. the roof is protected with 3/8-inch (15.9-mm) Type X gypsum board directly beneath the underside of the roof sheathing or deck, supported by a minimum of 2-inch (51-mm) ledgers attached to the sides of the roof framing members, for a minimum distance of 4 feet (1220 mm) on both sides of the fire wall, and

6.3.2. openings in the roof are not located within 4 feet (1220 mm) of the fire wall, and

6.3.3. the roof is covered with a minimum Class C roof covering.

[Exception 7: As in IBC]

705.6.1 Stepped buildings. *[As in IBC]*

705.7 Combustible framing in fire walls. *[As in IBC]*

705.8 Openings. *[As in IBC]*

705.9 Penetrations. Penetrations through fire walls must comply with § 711 of this Code. Penetrations through party walls are not allowed.

705.10 Joints. *[As in IBC]*

705.11 Ducts and air transfer openings. *[As in IBC]*

SECTIONS 706 TO 715 *[As in IBC]*

SECTION 716 CONCEALED SPACES

716.1 - 716.4 *[As in IBC]*

716.5 Combustibles in Types I and II construction. *[As in IBC]*

Exceptions:

1 - 3. *[As in IBC]*

4. Combustible piping within partitions or enclosed shafts installed in accordance with this Code. Combustible piping is permitted within concealed ceiling spaces where installed in accordance with the International Mechanical Code and the National Standard Plumbing Code.

SECTIONS 717 TO 720 *[As in IBC]*

CHAPTER 8 INTERIOR FINISHES

SECTION 801 GENERAL

801.1 Scope. *[As in IBC]*

801.2 Application *[As in IBC]*

801.2.1 Windows. Show-window framing must be:

1. wood,
2. unprotected metal, or
3. a vinyl-plastic composite.

801.2.2 Foam plastics [As in IBC]

SECTIONS 802 TO 805 [As in IBC]

CHAPTER 9 FIRE PROTECTION SYSTEMS

SECTION 901 GENERAL

901.1 Scope. [As in IBC, subject to following Note]

{**MBPS Modification — Note to § 901.1:** The fire protection system requirements of Chapter 9 may be concurrently covered by the State Fire Prevention Code, adopted under State Public Safety Article § 6-206 and contained in COMAR 29.06.01. The State Fire Code is enforced by the State Fire Marshall or authorized fire official.}

(Ord. 06-187.)

901.2 - 901.6 [As in IBC]

SECTION 902 DEFINITIONS [As in IBC]

SECTION 903 FIRE SUPPRESSION SYSTEM

903.1 General [As in IBC]

903.2 Where Required: Approved automatic sprinkler systems must be installed in the locations indicated in this § 903.2 and as required by State law.

Exception: An automatic fire suppression system is not required in portions of buildings that comply with § 406.3 for open parking garages.

903.2.1 - 903.2.11 [As in IBC]

903.2.12 All occupancies except Groups R-3 and U. [As in IBC]

903.2.12.1 Stories and basements without openings. [As in IBC]

903.2.12.2 Rubbish and linen chutes. [As in IBC]

903.2.12.3 New buildings 55 feet or more in height. An automatic sprinkler system must be installed throughout new buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16,764 mm) or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking garages.
3. Occupancies in Group F-2.

903.2.12.4 Existing buildings 55 feet or more in height. For existing buildings with floor levels as described in § 903.2.12.3, whenever alterations are implemented:

1. the alterations must comply with the requirements of Chapter 34 of this Code, and
2. a master plan for sprinklering the rest of the building must be submitted to the Building Official and the Fire Chief for their approval.

Exceptions: As in § 903.2.12.3.

903.2.13 - 903.2.15 *[As in IBC]***903.3 Installation requirements.** *[As in IBC]***903.3.1 - 903.3.4** *[As in IBC]*

903.3.5 Water supplies. Water supplies for automatic sprinkler systems must comply with this section and the standards referenced in § 903.3.1. The potable water supply must be protected against backflow in accordance with this section and the National Standard Plumbing Code.

903.3.5.1 Domestic services. *[As in IBC]***903.3.5.2 Secondary water supply.** *[As in IBC]***903.3.6 Hose threads.** *[As in IBC]***903.3.7 Fire department connections.** *[As in IBC]***903.4 Sprinkler system monitoring and alarms.** *[As in IBC]***903.5 Testing and maintenance.** *[As in IBC]***SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS****904.1 General.** *[As in IBC]***904.2 Where required.** *[As in IBC]***904.3 Installation.** *[As in IBC]*

904.3.1 Electrical wiring. Electrical wiring must be in accordance with the National Electrical Code.

904.3.2 - 904.3.5 *[As in IBC]***904.4 - 904.11** *[As in IBC]***SECTION 905 STANDPIPE SYSTEMS** *[As in IBC]***SECTION 906 PORTABLE FIRE EXTINGUISHERS** *[As in IBC]***SECTION 907 FIRE ALARM AND DETECTION SYSTEMS****907.1 - 907.4** *[As in IBC]*

907.5 Wiring. Wiring must comply with the National Electrical Code and NFPA 72. Wireless protection systems that utilize radio-frequency transmitting devices must comply with the special requirements in NFPA 72 for supervision of low-power wireless systems.

907.6 - 907.19 *[As in IBC]***SECTION 908 EMERGENCY ALARM SYSTEMS** *[As in IBC]***SECTION 909 SMOKE CONTROL SYSTEMS****909.1 - 909.10** *[As in IBC]*

909.11 Power systems. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IBC.]*

909.12 Detection and control systems. *[As in IBC]*

909.12.1 Wiring. In addition to meeting the requirements of the National Electrical Code, all wiring, regardless of voltage, must be fully enclosed within continuous raceways.

909.12.2 Activation. *[As in IBC]***909.12.3 Automatic control.** *[As in IBC]***909.13 - 909.15** *[As in IBC]***909.16 Fire-fighter’s smoke control panel.** *[As in IBC]***909.16.1 Smoke control systems.** *[As in IBC]***909.16.2 Smoke control panel.** *[As in IBC]***909.16.3 Control action and priorities.** *[As in IBC]***1.** *[As in IBC]*

Exception: Power disconnects required by the National Electrical Code.

2. *[As in IBC]*

909.17 - 909.21 *[As in IBC]*

SECTION 910 SMOKE AND HEAT VENTS *[As in IBC]*

SECTION 911 FIRE COMMAND CENTER *[As in IBC]*

**CHAPTER 10
MEANS OF EGRESS**

SECTION 1001 ADMINISTRATION

1001.1 General. *[As in IBC, subject to the following Note]*

{**MBPS Modifications** - Note to § 1001.1: The means of egress requirements of Chapter 10 may be concurrently covered by the State Fire Prevention Code, adopted under State Public Safety Article § 6-206 and contained in COMAR 29.06.01. The State Fire Code is enforced by the State Fire Marshall or authorized fire official.}

(Ord. 06-187.)

1001.2 Minimal requirements. *[As in IBC]*

1001.3 Maintenance. *[As in IBC]*

SECTION 1002 DEFINITIONS *[As in IBC]*

SECTION 1003 GENERAL MEANS OF EGRESS

1003.1 General requirements. *[As in IBC]*

1003.2 System design requirements. *[As in IBC]*

1003.2.1 - 1003.2.9 *[As in IBC]*

1003.2.10 Exit signs. *[As in IBC]*

1003.2.10.1 - 1003.2.10.4 *[As in IBC]*

1003.2.10.5 Power source. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IBC.]*

1003.2.11 Means of egress illumination. *[As in IBC]*

1003.2.11.1 Illumination level. *[As in IBC]*

1003.2.11.2 Illumination emergency power. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IBC.]*

1003.2.11.3 Performance of system. [As in IBC]

1003.2.12 Guards. Guards must be located along open-sided walking surfaces, mezzanines, industrial equipment platforms, stairways, ramps, and landings that are located more than 15½ inches (394 mm) above the floor or grade below. Guards must be adequate in strength and attached in accordance with § 1607.7 of this Code. Guards must also be located along glazed sides of stairways, ramps, and landings that are located more than 15½ inches (394 mm) above the floor or grade below where the glazing provided does not meet the strength and attachment requirements in § 1607.7.

Exceptions: *[As in IBC]*

1003.2.12.1 Height. [As in IBC]

1003.2.12.2 Opening limitations – General. Open guards must have balusters or ornamental patterns so that:

- a. to a height of 34 inches (864 mm) above the adjacent walking surfaces, a sphere 4 inches (102 mm) in diameter cannot pass through any opening; and
- b. from a height of 34 inches (864 mm) to 42 inches (1067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter cannot pass through any opening.

1003.2.12.2.1 Opening limitations – Residential occupancies. For occupancies in Use Group R, required guards may not be constructed with horizontal rails or any ornamental pattern that results in a ladder effect.

Exceptions: *[As in IBC]*

1003.2.12.3 Screen porches. [As in IBC]**1003.2.12.4 Mechanical equipment. [As in IBC]****1003.2.13 Accessible means of egress. [As in IBC]****1003.3 Means of egress components. [As in IBC]****1003.3.1 - 1003.3.3.2 [As in IBC]****1003.3.3 Stairways. [As in IBC]****1003.3.3.1 - 1003.3.3.2 [As in IBC]****1003.3.3.3 Stair treads and risers. [As in IBC]**

Exceptions:

1 - 4. *[As in IBC]*

5. **{Per MBPS Modifications}** In occupancies in Group R-3, as applicable in § 101.2, in dwelling units in occupancies in Group R-2, as applicable in § 101.2, and in occupancies in Group U that are accessory to an occupancy in Group R-3, as applicable in § 101.2:
 - a. the maximum riser height is 8¼ inches (210 mm),
 - b. the minimum tread depth is 9 inches (229 mm),
 - c. the minimum winder tread depth at the walk line is 9 inches (229 mm),
 - d. the minimum winder tread depth is 6 inches (152 mm), and
 - e. a nosing not less than ¾ inch (19 mm) but not more than 1¼ inches (32 mm) must be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).
6. **{Per MBPS Modifications}** For the replacement of existing stairways, see the Maryland Building Rehabilitation Code, set forth in COMAR 05.16.

1003.3.3.3.1 Dimensional uniformity. [As in IBC]

1003.3.3.3.2 Profile. [As in IBC]

1003.3.3.4 - 1003.3.3.10 [As in IBC]

1003.3.3.11 Handrails. [As in IBC]

1003.3.3.11.1 Height. [As in IBC]

1003.3.3.11.2 Intermediate handrails. [As in IBC]

1003.3.3.11.3 Handrail graspability. [As in IBC]

Exception: {Per MBPS Modifications} For occupancies in Group R-3, as applicable in § 101.2, and in dwelling units in occupancies in Group R-2, as applicable in § 101.2, the grip portion of handrails must have a circular cross section of 1¼ inches (32 mm) minimum to 2.625 inches (66.7 mm) maximum. Other shapes that provide an equivalent grasping surface are permissible. Edges must have a minimum radius of 0.125 inch (3.2 mm).

1003.3.3.11.4 - 1003.3.3.11.7 [As in IBC]

1003.3.3.12 Stairway to roof. [As in IBC]

1003.3.3.13 Fire escapes. Where fire escapes are permitted, they must comply with all applicable provisions of the Maryland Building Rehabilitation Code, COMAR 05.16. (Ord. 04-672; Ord. 06-187.)

1003.3.4 Ramps. [As in IBC]

1003.3.5 Turnstiles. [As in IBC]**SECTIONS 1004 TO 1009 [As in IBC]****CHAPTER 11
ACCESSIBILITY
[Not Adopted]**

{**MBPS Modification:** Chapter 11 of the IBC, relating to accessibility requirements, is replaced with the Maryland Accessibility Code, codified in COMAR 05.02.02.}

**CHAPTER 12
INTERIOR ENVIRONMENT****SECTION 1201 GENERAL [As in IBC]****SECTION 1202 VENTILATION****1202.1 - 1202.3 [As in IBC]****1202.4 Natural ventilation. [As in IBC]**

1202.4.1 Ventilation area required. Windows and exterior doors may be used as a natural means of ventilation as provided in § 1204.2.

1202.4.1.1 Adjoining spaces. A blind room may receive ventilation from an adjoining habitable room as provided in § 1204.2.1.

1202.4.1.2 Openings below grade. [As in IBC]

1202.4.2 Contaminants exhausted. [As in IBC]

1202.4.3 Openings on yards or courts. [As in IBC]

1202.5 Other ventilation and exhaust systems. [As in IBC]

SECTION 1203 TEMPERATURE CONTROL [As in IBC]**SECTION 1204 LIGHTING****1204.1 General. [As in IBC]**

1204.2 Natural Light. Windows and exterior doors may be used as a natural means of light and ventilation. When so used, their aggregate glass area must equal at least 10% of the floor area served, with at least ½ of this required area available for unobstructed ventilation.

1204.2.1 Adjoining spaces. A blind room may receive light and ventilation from an adjoining habitable room if:

- a. the common wall between the blind room and the habitable room is altered to remove at least 50% of the wall, as measured from the blind side,
- b. the window area of the existing habitable room is at least 10% of the total floor area of the combined rooms, and
- c. the window is made to open to an extent of at least 5% of the total floor area of the combined rooms.

1204.2.2 Exterior openings. [As in IBC]

1204.3 Artificial light. [As in IBC]

1204.4 Stairway illumination. [As in IBC]

1204.4.1 Controls. The control for activating the required stairway lighting must be in accordance with the National Electrical Code.

1204.5 Emergency egress lighting. [As in IBC]

SECTION 1205 YARDS OR COURTS

1205.1 General. [As in IBC]

1205.2 Yards. [As in IBC]

1205.3 Courts. [As in IBC]

1205.3.1 Court access. [As in IBC]

1205.3.2 Air intake. [As in IBC]

1205.3.3 Court drainage. The bottom of every court must be properly graded and drained to a public sewer or other approved disposal system that complies with the National Standard Plumbing Code.

SECTIONS 1206 TO 1209 [As in IBC]

**CHAPTER 13
ENERGY EFFICIENCY**

SECTION 1301 GENERAL

1301.1 Scope. [As in IBC, subject to the following Note]

{**MBPS Modifications** - Note to § 1301.1: The requirements concerning energy conservation for buildings and structures are governed by the Energy Conservation Building Standards Act, contained in the State Public Utility Companies Article, Title 7, Subtitle 4. In the event of a conflict between the Energy Conservation Building Standards Act and the IBC, the requirements of the Energy Conservation Building Standards Act prevail.}

CHAPTER 14 EXTERIOR WALLS

SECTIONS 1401 TO 1404 *[As in IBC]*

SECTION 1405 INSTALLATION OF WALL COVERINGS

1405.1 - 1405.9 *[As in IBC]*

1405.10 Metal veneers. *[As in IBC]*

1405.10.1 - 1405.10.3 *[As in IBC]*

1405.10.4 Grounding. Grounding of metal veneers on buildings must comply with Chapter 27 of this Code and with the National Electrical Code.

1405.11 -1405.15 *[As in IBC]*

SECTIONS 1406 TO 1407 *[As in IBC]*

CHAPTER 15 ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

SECTION 1501 GENERAL *[As in IBC]*

SECTION 1502 DEFINITIONS *[As in IBC]*

SECTION 1503 WEATHER PROTECTION

1503.1 - 1503.3 *[As in IBC]*

1503.4 Roof drainage. The design and installation of roof drainage systems must comply with the National Standard Plumbing Code.

1503.4.1 Gutters. *[As in IBC]*

1503.5 Roof ventilation. *[As in IBC]*

SECTIONS 1504 TO 1508 *[As in IBC]*

SECTION 1509 ROOFTOP STRUCTURES

1509.1 - 1509.5 *[As in IBC]*

1509.6 Rooftop decks. Rooftop decks must comply with this § 1509.6 and with Chapter 16 of this Code.

1509.6.1 Materials. Rooftop decks must be constructed with approved materials in accordance with Chapters 19 through 26 of this Code.

1509.6.2 Notice to adjoining owners. If a rooftop deck is to be supported by party walls:

- a. the owners of the adjoining properties must be notified in writing, and
- b. evidence of this notice must be submitted with the construction documents.

1509.6.3 Construction documents. Construction documents for all rooftop decks must:

- a. include dimensional setbacks, and
- b. be signed and sealed by a professional architect or engineer licensed in Maryland.

1509.6.4 Clearances. All rooftop decks must maintain all clearances otherwise required by this Code, including Chapter 8 of the International Mechanical Code and § 230-24(e) of the National Electrical Code.

1509.6.5 Height. No rooftop deck may be raised more than 2 feet (0.61 m) above the plane that is midway between the lowest and the highest points of the roof surface supporting the rooftop deck.

1509.6.6 Setbacks. A rooftop deck must comply with:

- a. the minimum setbacks specified in § 1509.6.6.1, and
- b. any greater or additional setback requirements established by or under the Baltimore City Zoning Code and any applicable Urban Renewal Plan.

1509.6.6.1 Minimum setbacks. A rooftop deck must comply with the following minimum setbacks:

Front

Flat Roof –	8 feet (2.44 m) from face of building wall
Gabled Roof –	6 feet (1.83 m) behind ridge line
Mansart Roof (steeply pitched front slope followed by flat roof) –	6 feet (1.83 m) behind ridge line

Sides and Rear

None

SECTION 1510 REROOFING *[As in IBC]***CHAPTER 16
STRUCTURAL DESIGN****SECTIONS 1601 TO 1606** *[As in IBC]***SECTION 1607 LIVE LOADS****1607. 1 - 1607.10** *[As in IBC]***1607.11 Roof Loads.** *[As in IBC]***1607.11.1 Distribution of roof loads.** *[As in IBC]***1607.11.2 Minimum roof live loads.** *[As in IBC]*

1607.11.2.1 Flat, pitched, and curved roofs. Ordinary flat, pitched, and curved roofs must be designed for the following minimum live loads:

		Live Load (pounds/square foot of horizontal projection)
Roof Slope		
Flat:	Flat or rise less than 4 inches	30
Pitched:	Rise 4 inches (102 mm) per foot to less than 12 inches (305 mm) per foot	20
	Rise 12 inches (305 mm) per foot and greater	12
Curved:	Arch or dome with rise less than 1/8 of span	30
	Arch or dome with rise 1/8 of span to less than 3/8 of span	20
	Arch or dome with rise 3/8 of span or greater	12

1607.11.2.2 - 1607.11.2.5 *[As in IBC]***1607.12 Crane loads.** *[As in IBC]***1607.13 Interior walls and partitions** *[As in IBC]***SECTIONS 1608 TO 1623** *[As in IBC]***CHAPTER 17
STRUCTURAL TESTS AND SPECIAL INSPECTION
*[As in IBC]***

CHAPTER 18

SOILS AND FOUNDATIONS

SECTION 1801 GENERAL *[As in IBC]*

SECTION 1802 FOUNDATION AND SOILS INVESTIGATIONS *[As in IBC]*

SECTION 1803 EXCAVATION, GRADING, AND FILLING

1803.1 Excavation near footings or foundations *[As in IBC]*

1803.1.1 Underpinning foundation walls. Any permit application for underpinning foundation walls must be accompanied by structural drawings that indicate the exact sequence of operation. These drawings must be signed and sealed by an architect or engineer licensed to practice in this State.

1803.2 - 1803.4 *[As in IBC]*

SECTION 1804 ALLOWABLE LOAD-BEARING VALUES OF SOILS *[As in IBC]*

SECTION 1805 FOOTINGS AND FOUNDATIONS

1805.1 General. *[As in IBC]*

1805.2 Depth of footings. *[As in IBC]*

1805.2.1 Frost protection. Except where erected on solid rock or otherwise protected from frost, foundation walls, piers, and other permanent supports of structures larger than 100 square feet (9.30 square meters) in area or 10 feet (3048 mm) in height must extend to not less than 30 inches (762 mm) below the finished surface grade. Spread footings of adequate size must be provided where necessary to properly distribute the load within the allowable load-bearing value of the soil. Alternatively, these structures must be supported on piles where solid earth or rock is not available. Footings may not bear on frozen soils.

1805.2.2 Isolated footings. *[As in IBC]*

1805.2.3 Shifting or moving soils. *[As in IBC]*

1805.3 Footings on or adjacent to slopes. *[As in IBC]*

1805.4 Footings. *[As in IBC]*

1805.4.1 Design. *[As in IBC]*

1805.4.2 Concrete footings. *[As in IBC]*

1805.4.2.1 - 1805.4.2.4 *[As in IBC]*

1805.4.2.5 Protection of concrete. *[As in IBC]*

1805.4.2.5.1 Placement of concrete. Unprotected concrete footings may not be poured in place unless the ambient temperature is at least 40° F (4° C) and rising.

1805.4.2.6 Forming of concrete. *[As in IBC]*

1805.4.3 - 1805.4.6 *[As in IBC]*

1805.5 - 1805.9 *[As in IBC]*

SECTION 1806 DAMPPROOFING AND WATERPROOFING

1806.1 - 1806.3 *[As in IBC]*

1806.4 Subsoil drainage system. *[As in IBC]*

1806.4.1 Floor base course. *[As in IBC]*

1806.4.2 Foundation drain. *[As in IBC]*

1806.4.3 Drainage discharge. The floor base and foundation perimeter drain must discharge by gravity or mechanical means into an approved drainage system that complies with the National Standard Plumbing Code.

Exception: *[As in IBC]*

SECTIONS 1807 TO 1811 *[As in IBC]*

CHAPTER 19 CONCRETE

SECTIONS 1901 TO 1904 *[As in IBC]*

SECTION 1905 CONCRETE QUALITY, MIXING, AND PLACING

1905.1 - 1905.9 *[As in IBC]*

1905.10 Depositing. *[As in IBC]*

1905.10.1 - 1905.10.8 *[As in IBC]*

1905.10.9 Maximum drop. When depositing concrete, the free fall of concrete into the forms may not exceed 5 feet (1.52 m) unless vertical pipes, suitable drop chutes, or baffles are provided to prevent separation or loss of materials.

1905.11 Curing. *[As in IBC]*

1905.12 Cold-weather requirements. Concrete that is to be placed during freezing or near-freezing weather must comply with the following:

1. - 3. *[As in IBC]*
4. Unprotected concrete may not be poured in place unless the ambient temperature is at least 40 F (4 C) and rising.

1905.13 Hot-weather requirements. *[As in IBC]*

SECTIONS 1906 TO 1916 *[As in IBC]*

CHAPTER 20
ALUMINUM
[As in IBC]

CHAPTER 21
MASONRY

SECTIONS 2101 TO 2112 *[As in IBC]*

SECTION 2113 MASONRY CHIMNEYS

2113.1 - 2113.10 *[As in IBC]*

2113.11 Flue lining (material). *[As in IBC]*

2113.11.1 Residential-type appliances (general). *[As in IBC]*

2113.11.1.1 Flue linings for specific appliances. *[As in IBC]*

2113.11.1.2 Gas appliances. Flue lining systems for gas appliances must be in accordance with the National Fuel Gas Code.

2113.11.1.3 - 2113.11.1.5 *[As in IBC]*

2113.11.2 - 2113.11.3 *[As in IBC]*

2113.12 - 2113.20 *[As in IBC]*

CHAPTER 22
STEEL
[As in IBC]

CHAPTER 23
WOOD
[As in IBC]

CHAPTER 24
GLASS AND GLAZING

SECTIONS 2401 TO 2405 *[As in IBC]*

SECTION 2406 SAFETY GLAZING *[As in IBC, subject to the following Note]*

{**MBPS Modification** — The requirements for safety glazing contained in State Public Safety Article, Title 12, Subtitle 4, are in addition to those contained in § 2406 of the IBC. In the event of a conflict between the Maryland Code and the IBC, the Maryland Code prevails.}

(Ord. 06-187.)

SECTIONS 2407 TO 2409 *[As in IBC]*

CHAPTER 25
GYPSUM BOARD AND PLASTER
[As in IBC]

CHAPTER 26
PLASTIC

SECTIONS 2601 TO 2608 *[As in IBC]*

SECTION 2609 LIGHT-TRANSMITTING PLASTIC ROOF PANELS

2609.1 General. *[As in IBC]*

2609.2 Separation. *[As in IBC]*

2609.3 Location. Where § 704.8 of this Code requires exterior wall openings to be protected, a roof panel or unit may not be installed within 4 feet (1219 mm) of the exterior wall.

2609.4 Area limitations. *[As in IBC]*

SECTION 2610 LIGHT-TRANSMITTING PLASTIC SKYLIGHT GLAZING

2610.1 - 2610.6 *[As in IBC]*

2610.7 Location. Where § 704.8 of this Code requires exterior wall openings to be protected, a skylight may not be installed within 4 feet (1219 mm) of the exterior wall.

2610.8 Combinations, etc. *[As in IBC]*

SECTION 2611 LIGHT-TRANSMITTING PLASTIC INTERIOR SIGNS [As in IBC]**CHAPTER 27
ELECTRICAL**

{**MBPS Modification** — The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards....}

SECTION 2701 GENERAL

2701.1 Scope. This Chapter governs the electrical components, equipment, and systems used in structures covered by this Code. Electrical components, equipment, and systems must be designed and constructed in accordance with the National Electrical Code (“NEC”).

2701.2 Electric equipment standards. Only electrical materials, appliances, or equipment approved by the Building Official may be installed. The Building Official must approve all materials, appliances, and equipment that are listed and labeled by the Underwriters' Laboratories, Incorporated, or by any other independent testing organization that the Building Official approves, except for any materials, appliances, or equipment that other provisions of this Code preclude from being installed. In investigating new materials, appliances, and equipment, the Building Official must consider the factors listed in NEC § 110-3.

SECTION 2702 EMERGENCY AND STANDBY POWER SYSTEMS

2702.1 Installation. Emergency and standby power systems must be installed in accordance with the National Electrical Code.

2702.2 Where required. *[As in IBC]*

2702.3 Maintenance. *[As in IBC]*

SECTION 2703 PERMIT AND CERTIFICATE OF INSPECTION

2703.1 Applications. The application for an electrical permit must bear the name and address of the licensed electrician responsible for all work to be done under the permit.

2703.2 Permits for maintenance work. Any person who employs 1 or more licensed maintenance electricians or licensed master electricians for maintenance of approved installations in or on a structure or premises owned or operated by the person must:

- a. obtain individual permits for the maintenance work, or
- b. apply for and obtain a semiannual permit for all maintenance work to be performed by these licensed electricians.

2703.3 Semiannual records. The person to whom a semiannual permit is issued must keep a detailed record of all maintenance work done under the permit. These records must be:

- a. available at all times for inspection by the Building Official, or
- b. if the Building Official so specifies, filed with the Building Official.

2703.4 Certificates. An electrical certificate is required before electric service may be energized in any structure. On request and payment of the required fee, the Building Official will issue an electrical certificate to the owner of any electrical installation that conforms to the requirements of this Code.

SECTION 2704 INSPECTIONS

2704.1 Periodic inspections for places of assembly. In any place of public assembly for which an inspection registration permit is required, the Building Official must make periodic inspections of the electric wiring, appliances, and equipment.

SECTION 2705 UNSAFE EXISTING INSTALLATIONS

2705.1 Conformance required. Any existing electrical equipment, appliance, wiring, or other electrical work in service that does not comply with this Code and creates a menace to life or property must, as directed in writing by the Building Official:

- a. be made to conform to the requirements of this Code, or
- b. be put out of service and either sealed or removed.

CHAPTER 28 MECHANICAL SYSTEMS

{**MBPS Modification** — The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards....}

SECTION 2801 GENERAL

2801.1 Scope – General. Mechanical appliances, equipment, and systems must be constructed, installed, and maintained in accordance with:

- a. the International Mechanical Code (2000 Edition), as modified by Part V of this Code, and
- b. the National Fuel Gas Code.

2801.2 Scope – Chimneys, fireplaces, barbecues. Masonry chimneys, fireplaces, and barbecues must comply with:

- a. Chapter 21 of this Code, and
- b. the International Mechanical Code, as modified by Part V of this Code.

CHAPTER 29 PLUMBING SYSTEMS

{**MBPS Modification** — The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards....}

SECTION 2901 GENERAL

2901.1 Scope. The erection, installation, alteration, repairs, relocation, replacement, use, or maintenance of or addition to plumbing equipment and systems are governed by:

- a. this Chapter, and
- b. subject to the modifications specified in Part VI of this Code, the National Standard Plumbing Code (2000 Edition, 2001 Supplement) (the “NSPC”).

Private sewage disposal systems must conform to COMAR 26.04.02.

2901.1.1 “Plumbing regulations”. Together, this Chapter 29 and the NSPC are referred to in this Code as “plumbing regulations”.

SECTION 2902 PERMITS

2902.1 Permit required. Unless specifically excepted by these plumbing regulations, no plumbing work may be undertaken before the Building Official has issued a permit for that work.

2902.2 To whom issued. A permit may be issued only:

- a. to a master plumber licensed to do business in the City,
- b. to a master gas fitter licensed to do business in the City, or
- c. for on-site utility facilities, to an on-site utility contractor licensed to do business in the City.

2902.3 Insurance. The Building Official may not issue a permit to any master plumber unless the master plumber has provided the Building Official with certification of insurance, as required by State law.

2902.4 Emergency work. When emergency work needs to be done to rectify a possible health hazard or other hazardous condition, the work may be undertaken, even before a permit is issued, by:

- a. a master plumber, or
- b. within the scope of his or her license:
 1. an on-site utility contractor, or
 2. a gas fitter.

2902.4.1 Notice and subsequent permit. A master plumber, contractor, or gas fitter who performs emergency work under this section must:

- a. promptly notify the proper City authorities of the emergency, and
- b. within a reasonable time, obtain a permit for the work.

SECTION 2903 *{Reserved}*

SECTION 2904 LICENSING REQUIREMENTS

2904.1 Licenses and supervision required. Except as otherwise provided in this section, no person may provide plumbing services or otherwise engage in any plumbing work unless:

- a. the person is licensed to do so in accordance with State law, and
- b. the services and work are done by or under the direct supervision of an insured, licensed master plumber.

2904.1.1 On-site utilities work. On-site utility work, as defined in City Code Article 13, § 18-1, may be done by or under the direct supervision of an on-site utility contractor licensed by the City.

2904.1.2 Gas-fitting work. A licensed gas fitter may perform any gas-fitting work that falls within the scope of his or her license.

2904.2 Limits on plumber's, etc., liability. The liability of the surety on any bond given under this Chapter and the liability of any master plumber or on-site utility contractor for materials furnished or work done under this Code does not extend to defects in materials or workmanship discovered more than 1 year after completion of the work.

2904.2.1 Plumber's, etc., responsibility for certain defects. The surety and the master plumber or on-site utility contractor are responsible to the City to correct all defects that are discovered during the 1-year period after completion of the work and about which they were promptly notified in writing.

2904.2.2 Owner remains responsible. Notwithstanding the limited liabilities of the surety and the master plumber or on-site utility contractor, the owner of the property is responsible at all times to the City to correct any defects in the plumbing installations in or on his or her property.

2904.3 Use of license by others prohibited. A master plumber, on-site utility contractor, or gas fitter may not allow his or her name to be used by any other person for obtaining permits or for doing business or work under his or her license.

CHAPTER 30
ELEVATORS AND CONVEYING SYSTEMS
[As in IBC]

{**MBPS Modification** – Note to Chapter 30: The provisions of Chapter 30 of the IBC relate to elevators and conveying systems and are in addition to and not instead of the requirements contained in State Public Safety Article, Title 12, Subtitle 8. In the event of a conflict between the Maryland Code and the IBC, the Maryland Code prevails.}
(Ord. 06-187.)

CHAPTER 31
SPECIAL CONSTRUCTION

SECTIONS 3101 TO 3104 *[As in IBC]*

SECTION 3105 AWNINGS AND CANOPIES

3105.1 General. Awnings and canopies must comply with the requirements of:

- a. this section,
- b. other applicable sections of this Code, and
- c. the laws and regulations governing minor privilege permits.

3105.2 Design and construction. *[As in IBC]*

3105.3 Canopy materials. *[As in IBC]*

SECTION 3106 MARQUEES *[As in IBC]*

SECTION 3107 SIGNS *[As in IBC]*

SECTION 3108 RADIO AND TELEVISION TOWERS

3108.1 - 3108.5 *[As in IBC]*

3108.6 Aircraft warning lights. Radio and television towers must be equipped with aircraft warning lights that comply with Federal Aviation Administration requirements.

SECTION 3109 SWIMMING POOL

3109.1 General. Swimming pools must comply with the requirements of:

- a. this section,
- b. other applicable sections of this Code,

- c. all regulations of the Baltimore City Health Department, and
- d. all location and other applicable provisions of the Baltimore City Zoning Code.

3109.2 Definition. *[As in IBC]*

3109.3 Public swimming pools. *[As in IBC]*

3109.4 Residential swimming pools. *[As in IBC]*

3109.5 Construction. Every swimming pool must be designed and constructed in compliance with all applicable requirements of this Code.

3109.5.1 Design. The pool structure must be engineered and designed in accordance with the requirements of Chapters 16 and 18 of this Code.

3109.5.2 Wall slopes. To a depth up to 2 feet 9 inches(838 mm) from the top, the wall slope may not exceed 1:5 (horizontal to vertical).

3109.5.3 Floor slopes. The slope of the floor on the shallow side of the transition point may not exceed 1:7 (vertical to horizontal). For public pools greater than 1,200 square feet (111.6 sq. m.), the slope of the floor on the shallow side of the transition point may not exceed 1:10 (vertical to horizontal). The transition point between shallow and deep water may not be more than 5 feet (1524 mm) deep.

3109.5.4 Walkways. Every public swimming pool must have a walkway at least 4 feet (1219 mm) wide extending entirely around the pool. Curbs or sidewalks around any swimming pool must have a slip-resistant surface for a width of at least 1 foot (305 mm) at the edge of the pool and must be arranged as to prevent return of surface water to the pool.

3109.5.5 Surface cleaning. Every public swimming pool must be provided with a recirculating skimming device or overflow gutters to remove scum and foreign matter from the surface of the water.

3109.6 Water supply. Every public swimming pool must be provided with a potable water supply, free of cross connections with the pool or its equipment.

3109.6.1 Water treatment. Every public swimming pool must be designed and installed so that there is a pool of water turnover at least once every 8 hours. The treatment system must be designed and installed so that, at all times when the pool is occupied, the water is provided with excess chlorine of not less than 0.4 parts per million or more than 0.6 parts per million. Pool water acidity/alkalinity may not be below 7.0 or more than 7.5.

3109.6.2 Drainage systems. The swimming pool and equipment must be equipped to be emptied completely of water, and the discharged water must be disposed of in an approved manner that will not create a nuisance to adjoining property.

3109.7 Appurtenant structures. All appurtenant structures, installations, and equipment, such as showers, dressing rooms, equipment houses, or other buildings and structures, including plumbing, heating, and air conditioning systems, must comply with all applicable requirements of this Code.

3109.7.1 Accessories. All swimming pool accessories, including handrails, guardrails, platforms, and diving boards, must be designed, constructed, and installed in accordance with all applicable requirements of this Code.

SECTION 3110 RADIO AND TELEVISION ANTENNAS

3110.1 Aircraft warning lights. Radio and television antennas located on a high rise building or on a high terrain feature must comply with Federal Aviation Administration requirements for aircraft warning lights.
(Ord. 04-672.)

SECTION 3111 LIGHTENING PROTECTION

3111.1 General. Lightning protection for buildings and structures must comply with NFPA 780.

CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

SECTION 3201 GENERAL

3201.1 Scope. *[As in IBC]*

3201.2 Measurement. *[As in IBC]*

3201.3 Other laws. This chapter does not permit anything that is otherwise prohibited or regulated by any law governing the use of public property.

3201.3.1 Permission needed for encroachments. No person may use, encroach on, or connect to any street, highway, alley, or other public right-of-way for any purpose unless that person first obtains permission to do so by:

- a. an ordinance of the Mayor and City Council,
- b. a minor privilege permit issued by or under the authority of the Board of Estimates, or
- c. an appropriate permit issued by the Department of Public Works.

3201.4 Drainage. Drainage may not be discharged from private property on to the public right of way except through piping to a storm drain, to a street or alley, or to some other water course approved by the Department of Public Works. Drainage may not be discharged to flow over the surface of any public sidewalk. Roof drainage must comply with § 426 of this Code.

SECTION 3202 ENCROACHMENTS

3202.1 Encroachment below grade. *[As in IBC]*

3202.2 Encroachment above grade and below 8' in height. *[As in IBC]*

3202.2.1 Steps. Steps may not project more than:

- a. 1/4 of the width of a public sidewalk on which the steps are located,
- b. 4 feet (1219 mm) into a public sidewalk, or
- c. any distance that leaves a clear public sidewalk of less than 4 feet (1219 mm).

3202.2.2 Architectural features. [As in IBC]

3202.2.3 Awnings. [As in IBC]

3202.3 Encroachment 8' or more above grade. [As in IBC]

3202.4 Temporary encroachments. [As in IBC]

3202.5 Unauthorized encroachment. In this §3202.5, “unauthorized encroachment” means any building, structure, projection, object, or other thing that has been placed, constructed, or installed on or connected to a public right-of-way without appropriate permission, as outlined in § 3201.3.1.

3202.5.1 Removal of unauthorized encroachments. On notice from the Building Official or the Director of Public Works, the owner of any unauthorized encroachment must immediately:

- a. remove the encroachment, or
- b. obtain appropriate permission for its continuation.

**CHAPTER 33
SAFEGUARDS DURING CONSTRUCTION**

SECTION 3301 GENERAL

3301.1 Scope. [As in IBC]

3301.2 Storage and placement. [As in IBC]

3301.3 Prohibited hours. No site work, demolition, pile driving, or construction is permitted within 300 feet (91.44 m) of any dwelling between 7:00 p.m. and 7:00 a.m.

3301.3.1 Exception. This § 3301.3 does not apply to an emergency operation that has been specifically approved by the Building Official.

SECTION 3302 CONSTRUCTION SAFEGUARDS [As in IBC]

SECTION 3303 DEMOLITION

3303.1 Construction documents. [As in IBC]

3303.2 Pedestrian protection. [As in IBC]

3303.3 Means of egress. [As in IBC]

3303.4 Filling required. Except as otherwise specified in this § 3303.4, where a structure has been demolished or removed, the vacant area must be filled and maintained to the existing grade or otherwise in accordance with City law.

3303.4.1 Cellar floors. All basement and cellar floors must be removed or completely broken up before any filling materials are used.

3303.4.2 Exception. The Building Official may waive the filling requirements of this § 3303.4 for up to 3 months if:

- a. the Building Official receives satisfactory evidence that construction of a new building or structure will begin on the site within 3 months of the demolition or removal, and
- b. the site is protected with barriers that comply with § 3306.5 of this Code.

3303.5 Water accumulation. *[As in IBC]*

3303.6 Utility connections. *[As in IBC]*

3303.7 Notice to adjoining owners and others. A permit to demolish a structure may not be issued unless:

- a. all notices required by §§ 105.9 and 3307.1 of this Code have been given, and
- b. copies of the notices are submitted with the permit application.

3303.8 Demolition contractor's license. Except as otherwise specified in this § 3303.8, no person may engage in the demolition of any structure without first obtaining a demolition contractor's license from the Building Official.

3303.8.1 Prerequisites. Every contractor applying for a new license or for the renewal of a license must:

- a. provide the Building Official with the name and address of the contractor's business,
- b. provide the Building Official with a copy of a liability insurance policy that complies with § 3303.9 of this Code, and
- c. provide evidence satisfactory to the Building Official that the contractor has obtained a bond that complies with § 3303.10 of this Code.

3303.8.2 Term; fees. A demolition contractor's license expires on December 31 of each year. The license may be renewed annually, on or before December 31, on payment of the renewal fee. The license fees are as set by the Building Official with the approval of the Board of Estimates.

3303.8.3 Change of name or address. A licensee must immediately notify the Building Official of any change in the name or address of the licensee's business.

3303.8.4 Use of license by other. A licensee may not allow his or her name to be used by another person for the purpose of obtaining permits or for doing any demolition work under the licensee's license.

3303.8.5 Exception. The Building Official may waive the requirements of this § 3303.8 if the structure to be demolished is a miscellaneous structure as described in § 312 of this Code.

3303.8.6 Enforcement. A violation notice is not a prerequisite to the enforcement of this § 3303.8 by any appropriate legal proceeding. Penalties will be assessed in accordance with § 113 of this Code.

3303.8.7 Debarment on conviction. Any person convicted of a violation of this § 3303.8 is, in addition to any other penalty that might be imposed:

- a. prohibited from performing demolition work without first obtaining a new license, and
- b. is ineligible to receive a new license for 6 months.

3303.9 Demolition insurance. The licensee must have an insurance policy that complies with the minimum requirements of this § 3303.9.

3303.9.1 Coverage. The policy must provide coverage for all operations for which a permit might be sought. The minimum coverage requirements are:

- a. \$100,000 for damages (including damages for care and loss of services) because of bodily injury (including death at any time resulting from bodily injury), per person, per incident,
- b. \$300,000 for damages (including damages for care and loss of services) because of bodily injury (including death at any time resulting from bodily injury) sustained by more than 1 person per incident, and
- c. \$25,000 for injury to or destruction of property of others per incident.

3303.9.2 Prohibited exclusions. The policy may not contain:

- a. any "collapse hazard" exclusion,
- b. any exclusion that would prohibit the contractor from performing the demolition operations in accordance with this Code and the normal procedures of the industry, or
- c. any exclusion that would create an undue risk to the City or to the health, safety, and welfare of the general public.

3303.9.3 Cancellation. The terms of policy must provide either:

- a. that the policy may not be canceled during the duration of the operations to be performed, or

- b. that the Building Official will be notified in writing, at least 15 days before the policy is canceled.

3303.10 Demolition bond. The licensee must post a bond that complies with the minimum requirements of this § 3303.10.

3303.10.1. Amount. The bond must be in the amount of at least:

- a. \$10,000, or
- b. any higher amount set by the Building Official.

3303.10.2 Tenor of bond. The bond must be conditioned on:

- a. the contractor's compliance with this Code, with the rules and regulations adopted under this Code, and with all other applicable laws of the State and the City,
- b. the contractor's indemnifying the City from all costs, expenses, damages, injury, and loss that result from any wrongdoing, misconduct, want of care or skill, negligence, or default on the part of the contractor or any of the contractor's agents or employees in the performance of their operations, and
- c. the contractor's further indemnifying the City from all expenses incurred in correcting any of the contractor's work that is considered harmful to the safety, health, and welfare of the general public or that adversely affects adjoining property.

3303.10.3 Bond continuity. The bond must be continuous, providing indemnification in the minimum amount required for each year that the bond is valid. The terms of the bond must provide that the Building Official and the contractor will be notified by the surety at least 30 days before the bond is canceled.

3303.10.4 Penalty for cancellation. If the bond is canceled and the contractor fails to provide a new bond before the cancellation is effective, the contractor's license and all outstanding work permits are automatically suspended. The suspension continues until the contractor provides a new bond that complies with this § 3303.10.

3303.10.5 Continuity of liability. The terms of the bond must provide that, notwithstanding its cancellation, the surety and the contractor remain liable for defects discovered within 12 months after the work is completed, as provided in § 3303.27 of this Code.

3303.10.6 Unsatisfactory surety. If at any time the Building Official considers the surety on the bond to be unsatisfactory, the Building Official must give the contractor written notice to that effect. Within 10 days of the notice, the contractor must provide a new bond, in the same penalty and on the same conditions, with a surety satisfactory to the Building Official. If the contractor fails to provide the new bond within 10 days, the Building Official must immediately revoke every outstanding permit for which the work remains uncompleted 1 year after its issuance and immediately suspend the contractor's license until a satisfactory bond is provided.

3303.11 - 3303.12 {Reserved}

3303.13 Demolition permits. Each application for a demolition permit must:

- a. comply with § 105 of this Code,
- b. except as provided in § 3303.13.1, be accompanied by a certificate of insurance that evidences compliance with § 3303.9, and
- c. be accompanied by an affidavit to the Building Official that all contracts and other arrangements complying with this Code have been made.

3303.13.1 Alternative certificate of continuing insurance. Instead of providing a separate certificate for each permit, a contractor may provide one general certificate of continuing insurance, as long as the certificate evidences:

- a. the required coverage for all work to be performed by the contractor, and
- b. the insurer's obligation to notify the Building Official, in writing, at least 15 days before the policy is canceled.

3303.14 - 3303.15 {Reserved}

3303.16 Methods of demolition. The following methods must be used for the demolition of a structure:

- a. The demolition must be performed in approximately the reverse order in which the structure was erected. Where unusual conditions exist, the Building Official may authorize a different method.
- b. Structural elements must be carefully dissembled to avoid collapse.
- c. Heavy pieces of stone or other heavy and bulky materials or equipment must be carefully handled in accordance with §§ 3304 through 3312 of this Code.

3303.17 Use of explosives. The use of explosives is generally prohibited. Explosives for demolition by implosion may be used by special permit from the Building Official.

3303.18 Partial Demolition. Building elements that become exposed as result of a partial demolition must be properly finished, braced, or otherwise made safe.

3303.19 {Reserved}**3303.20 {Reserved}**

3303.21 Removal of debris. The requirements of this section are in addition to those of § 3302.2.

3303.21.1 General requirements. Debris on upper floors must be lowered to ground level:

- a. in receptacles, by elevators or hoists, or
- b. in tight and completely enclosed chutes.

3303.21.2 Chute requirements. No chute used for this purpose may extend in an unbroken line that is more than 25 feet (7.62 m) without suitable barriers to prevent debris from falling too fast. Each chute must be equipped with a proper gate or stop at the bottom to control the flow of materials from the chute.

3303.22 {Reserved}

3303.23 Disposition of recyclable debris. Whenever recyclable debris to be cleared from a site exceeds 5 tons, at least 30% of that recyclable debris must be immediately transported to a licensed recycling firm for export out of the City.

3303.23.1 “Recyclable debris” defined. In this section:

- a. “Recyclable debris” means, except as specified in item b, materials that:
 1. if not recycled, would become solid waste for disposal in a solid waste acceptance facility, and
 2. may be collected, separated, or processed and returned to the marketplace in the form of raw materials or products.
- b. “Recyclable debris” does not include materials that are:
 1. derived solely from the demolition of a 1- or 2-family dwelling, and
 2. disposed of at the City’s Quarantine Landfill.

3303.24 - 3303.25 {Reserved}

3303.26 Correction of injurious conditions. This section applies to any demolition contractor who:

- a. performs any demolition work that creates a condition that violates this Code or a condition that might be injurious to the general public or adjoining to adjoining properties, and
- b. refuses or fails to correct the condition in the manner and time required by this Code.

3303.26.1 First right of surety to correct. Except in an emergency, the Building Official must:

- a. notify the surety on the bond of the contractor’s refusal or failure, and
- b. allow the surety to correct the condition within the time the Building Official directs.

3303.26.2 Correction by Building Official. If the surety refuses or fails to correct the condition or if an emergency occurs as a result the condition, the Building Official may correct the condition or perform any other operations necessary to bring the demolition operations into compliance with this Code. All work the Building Official performs under this section is at the expense of the contractor and chargeable to and collectible from the contractor’s surety.

3303.26.3 Contractor not relieved of responsibility. The Building Official's performance of any work under this section does not relieve the contractor from responsibility for all work performed by the contractor. Any remedies or penalties provided in this section are in addition to any other remedies or penalties provided by law.

3303.27 Limits of liability. The liability of any contractor for materials furnished or work done under this Code and the liability of the contractor's surety does not extend to defects in materials or workmanship discovered more than 12 months after the completion of the work. The contractor and surety are responsible to the City to correct all defects discovered during this 12-month period and about which they were notified in writing.

3303.28 Owner's responsibility. Notwithstanding the limited liabilities of the contractor and the surety, the owner of the property is responsible at all times to the City to correct any defects in the operations performed on his or her property.

3303.29 Penalty for violation. On a contractor's refusal or failure to correct any violation, the contractor's license and all outstanding work permits are automatically suspended. The suspension continues until the violation is corrected.

SECTION 3304 SITE WORK [As in IBC]

SECTION 3305 SANITARY FACILITIES

3305.1 Facilities required. Sanitary facilities must be provided during construction, remodeling, or demolition activities in accordance with the National Standard Plumbing Code.

SECTION 3306 PROTECTION OF PEDESTRIANS [As in IBC]

SECTION 3307 PROTECTION OF ADJOINING PROPERTY

3307.1 Protection required. [As in IBC]

3307.2 Shared elements – General. Repairs to elements shared by a demolished or moved structure and an adjoining structure must comply with all applicable provisions of this Code.

3307.3 Shared elements – Walls. Party walls must be repaired and finished by the owner of the demolished or moved structure. The repairs must include:

- a. restoration or replacement of any flashing on adjoining property that has been broken or damaged during the operations,
- b. removal of all plaster from the exposed side of the wall, and
- c. cleaning and finishing the wall with approved water-proof material.

(Ord. 04-672.)

SECTIONS 3308 TO 3312 [As in IBC]

SECTION 3313 RODENTICIDE PROCEDURE

3313.1 Certification required. Before any structure may be demolished, moved to another site, or substantially rehabilitated, the applicant for a permit must provide certification from a pesticide applicator licensed by the State of Maryland that all areas of the structure and its lot are free from rodent infestation. A certification of treatment and abatement of all infestation must accompany the permit application.

3313.2 Treatment required. Structures or lots found to be infested must be treated by a licensed pesticide applicator before demolition, moving, or rehabilitation.

SECTION 3314 UNSAFE WALLS

3314.1 Presumption. For purposes of this § 3314, any load-bearing wall that is cracked or bowed and any 4-inch load-bearing wall is considered a structurally unsafe wall unless certified to be safe by a professional structural engineer licensed in Maryland.

3314.2 Removal or correction required. Any structurally unsafe wall that remains after the demolition or moving of a structure must be:

- a. removed and replaced as required by all applicable sections of this Code; or
- b. in the case of a party wall, corrected as provided in § 3314.3.

(Ord. 04-672.)

3314.3 Party walls. If the structurally unsafe wall that remains is a party wall, the owner of the structure being demolished or removed must:

- a. remove all or any part of the wall that the Building Official considers dangerous, and
- b. reconstruct and do all other necessary work to properly enclose the adjoining structure.

(Ord. 04-672.)

SECTION 3315 OPERATIONS NOT TO CAUSE NUISANCE

3315.1 Scope. This section applies to all operations that involve:

- a. moving or demolishing any structure, or
- b. removing any machinery or equipment from any structure to be moved or demolished.

3315.2 Work to avoid nuisance. All operations of the sort described in § 3315.1 must be conducted so that:

- a. no material, object, or thing is allowed to fall in or on any structure or premises or any alley or other public way,
- b. all materials, objects, and things are well wetted down or otherwise treated as needed to prevent dust or other airborne debris, and

- c. no nuisance is otherwise created in the vicinity of the operations.

3315.3 Stop work order. If any operation violates these requirements, the Building Official must issue a stop work order. Work may resume only after the violation has been corrected and measures taken to prevent a recurrence.

CHAPTER 34
EXISTING STRUCTURES
[Not Adopted]

{**MBPS Modification:** Rehabilitation work in an existing building must comply with the applicable requirements of the Maryland Building Rehabilitation Code, as set forth in COMAR 05.16.}
(Ord. 06-187.)

CHAPTER 35
REFERENCED STANDARDS

SECTION 3501 GENERAL

3501.1 Scope. This Chapter 35 lists the standards that are referred to in various sections of this Code. The standards are listed by the promulgating entity, the standard identification, the effective date and title, and the section(s) of this Code that refer to the standard. The application of these standards is as specified in § 102.4 of this Code.
(Ord. 06-187.)

3501.2 City modifications. The following substitutions should be made in the standards listed:

1. For ICC Electrical Code,
substitute **National Electrical Code (1999 Edition)**.
2. For International Fuel Gas Code,
substitute **National Fuel Gas Code (1999 Edition)**.
3. For International Plumbing Code,
substitute **National Standard Plumbing Code (2000 Edition, 2001 Supplement)**.

(Ord. 04-672.)

APPENDIX A
EMPLOYEE QUALIFICATIONS
[Not Adopted]

APPENDIX B
BOARD OF APPEALS
[Not Adopted]

APPENDIX C
GROUP U – AGRICULTURAL BUILDINGS
[As in IBC]

APPENDIX D
FIRE DISTRICTS
[Not Adopted]

APPENDIX E
SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS
[Not Adopted]

APPENDIX F
RODENT PROOFING
[As in IBC]

APPENDIX G
FLOOD RESISTANT CONSTRUCTION

SECTIONS G101 TO G104 *[As in IBC]*

SECTION G105 VARIANCES

G105.1 General. The Building Official hears and decides all requests for variances. The Building Official:

- a. must base his or her decision on technical justifications, and
- b. may attach conditions to a variance as he or she considers necessary to further the purposes and objectives of this appendix and of § 1612.

G105.2 - G105.4 *[As in IBC]*

G105.5 Restrictions. The Building Official may not issue a variance for any proposed development in a floodway if any increase in flood levels would result during the base flood discharge.

G105.6 Considerations. In reviewing applications for variances the Building Official must consider all technical evaluations, all relevant factors, all other parts of this appendix, and the following:

- 1 - 10. *[As in IBC]*

G105.7 Conditions for issuance. A variance may only be issued by the Building Official on:

- 1 - 5. *[As in IBC]*

SECTIONS G201 TO G701 *[As in IBC]***APPENDIX H
SIGNS****SECTION H101 GENERAL *[As in IBC]*****SECTION H102 DEFINITIONS *[As in IBC]*****SECTION H103 LOCATION****H103.1 General restrictions. *[As in IBC]***

H103.2 Charles Street corridor. On either side of Charles Street from Baltimore Street to Mount Royal Avenue, no sign may extend or project more than 8 inches (203.2 mm) beyond the building wall proper.

SECTION H104 IDENTIFICATION *[As in IBC]***SECTION H105 DESIGN AND CONSTRUCTION *[As in IBC]*****SECTION H106 ELECTRICAL**

H106.1 Illumination. A sign may not be illuminated by other than electrical means, and electrical devices and wiring must be installed in accordance with the National Electrical Code. No open spark or flame may be used for display purposes unless specifically approved.

H106.1.1 Internally illuminated signs. *[As in IBC]*

H106.2 Electrical service. Signs that require electrical service must comply with the National Electrical Code.

SECTION H107 COMBUSTIBLE MATERIALS *[As in IBC]***SECTION H108 ANIMATED DEVICES *[As in IBC]*****SECTION H109 GROUND SIGNS *[As in IBC]*****SECTION H110 ROOF SIGNS *[As in IBC]*****SECTION H111 WALL SIGNS *[As in IBC]*****SECTION H112 PROJECTING SIGNS****H112.1 – H112.5 *[As in IBC]***

H112.6 Clearance. A vertical clearance of 10 feet (3.05m) must be maintained below each projecting sign.

SECTION H113 MARQUEE SIGNS *[As in IBC]*

SECTION H114 PORTABLE SIGNS *[As in IBC]*

Tables 4-A and 4-B *[As in IBC]*

SECTION H115 REFERENCED STANDARDS *[Not Adopted]*

**APPENDIX I
PATIO COVERS**
[As in IBC]

**APPENDIX J
SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS
FOR QUALIFIED HISTORIC BUILDINGS AND FACILITIES**
[Not Adopted]

PART III
NATIONAL ELECTRICAL CODE

§ 3-101. City adoption.

(a) *In general.*

The National Electrical Code (1999 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part III.

(b) *Codification.*

Unless otherwise specified, chapter, article, and section numbers in this part III refer to the chapter, article, and section numbers of the National Electrical Code.

§ 3-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

INTRODUCTION

ARTICLE 90 – INTRODUCTION

Sections 90-1 to 90-4. [As in NEC]

Section 90-5. Mandatory Rules, Permissive Rules, and Explanatory Material.

(a) **Mandatory Rules.** Mandatory rules of this Code are those that identify actions that are specifically required or prohibited and are characterized by the use of the following terms:

- (1) for imposing a duty or condition precedent, “shall” or “must”, and
- (2) for prohibiting action, “shall not”, “may not”, or “no ... may”.

(b) **Permissive Rules.** Permissive rules of this Code are those that identify actions that are allowed but not required, are normally used to describe options or alternative methods, and are characterized by the use of the following terms:

- (1) for discretionary authority, “shall be permitted”, “is permitted”, or “may”, and
- (2) for negating a duty or condition precedent, “shall not be required”, “is not required”, or “need not”.

(c) **Explanatory Material.** [As in NEC]

Sections 90-6 to 90-9. [As in NEC]

CHAPTER 1 **GENERAL**

ARTICLE 100 – DEFINITIONS *[As in NEC]*

ARTICLE 110 – REQUIREMENTS FOR ELECTRICAL INSTALLATIONS

Sections 110-1 to 110-22. *[As in NEC]*

Section 110-26. Spaces About Electrical Equipment. *[Introductory paragraph as in NEC]*

(a) - (e) *[As in NEC]*

(f) **Dedicated Equipment Space.** *[Introductory paragraph as in NEC]*

Exception: [As in NEC]

(1) Indoor. For indoor installations, the dedicated space must comply with the following.

(a) **Dedicated Electrical Space.** Space equal to the width and depth of the equipment and extending from the floor to a structural ceiling, plus the working space required by § 110-26(a), must be dedicated to the electrical installation. No piping, ducts, or equipment foreign to the electrical installation may be located in this space.

Exception: [As in NEC]

(b) **Foreign Systems.** The dedicated space required by subparagraph (a) must be kept clear of foreign systems unless protection is provided to avoid damage from condensation, leaks, or breaks in the foreign systems. This protection must be approved by the Building Official and signed and sealed by a registered professional engineer licensed to do business in the State.

(c) - (d) *[As in NEC]*

(e) **Electrical Room.** No piping, ducts, or equipment foreign to the electrical installation may be located in electrical rooms.

Exception: By special permissions, as described in (b), for existing conditions only.

(2) Outdoor. *[As in NEC]*

Sections 110-27 to 110-59. *[As in NEC]*

CHAPTER 2 WIRING AND PROTECTION

ARTICLE 200 – USE AND IDENTIFICATION OF GROUNDED CONDUCTORS *[As in NEC]*

ARTICLE 210 – BRANCH CIRCUITS

Sections 210-1 to 210-3. *[As in NEC]*

Section 210-4. Multiwire Branch Circuits.

(a) - (c) *[As in NEC]*

(d) Identification of Ungrounded Conductors.

(1) General. *[As in NEC 210-4(d)]*

(2) Specified Colors. For basic single-phase wiring systems of 120/240 volts, 3-wire circuits must use 1 black, 1 white, and 1 red wire. 120/208 3-phase 4-wire circuits must use 1 black, 1 white, 1 red, and 1 blue wire. For basic 3-phase wiring systems of 277/480 volts, the colors gray, brown, orange, and yellow must be used in accordance with commonly accepted trade practices.

(3) Branch Circuits. Conductors #10 and smaller must carry the appropriate identification color their entire length. Conductors #8 and larger need not carry its identification color their entire length, but must be identified at all junction points by other approved means. Cable assemblies must also be identified at all junction points by approved means.

Sections 210-5 to 210-7. *[As in NEC]*

Section 210-8. Ground-Fault Circuit-Interrupter Protection for Personnel.

(a) Dwelling Units. *[As in NEC]*

(b) Other than Dwelling Units. All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the locations specified below must have ground-fault circuit-interceptor protection for personnel.

(1) - (2) *[As in NEC]*

(3) Outdoors.

(4) Sink areas. Within 6 feet (1.83 m) of a sink to serve counter top surfaces.

Exception: [As in NEC]

Sections 210-9. Circuits Derived from Autotransformers. *[As in NEC]*

Section 210-10. Ungrounded Conductors Tapped from Grounded Systems. *[As in NEC]*

Section 210-11. Branch Circuits Required. *[Introductory paragraph as in NEC]*

(a) - (b) *[As in NEC]*

(c) **Dwelling Units.**

(1) - (3) *[As in NEC]*

Exception: *[As in NEC]*

(4) **Window Air Conditioner Branch Circuits.** A circuit for a cord-connected window air conditioner must contain a dedicated receptacle.

Sections 210-12 to 210-21. *[As in NEC]*

Section 210-23. Permissible Loads. *[Introductory paragraph as in NEC]*

(a) - (d) *[As in NEC]*

(e) **Circuits for Fuel-Burning Equipment.** For fuel-burning equipment such as oil and gas burners and stokers, including auxiliaries such as fans, blowers, and pumps, an individual branch circuit with a disconnecting means on the line side of all equipment and devices, other than the branch-circuit fuses, must be provided. If 2 or more branch circuits are provided for a fuel-burning system, they must be supplied through a common feeder with a disconnecting means that will disconnect all components of the system.

(f) **Controls.** Oil burners, other than oil stoves with integral tanks, must be provided with a device to manually stop the flow of oil to the burners. The device must be placed in a convenient location at a safe distance from the burner. With electrically driven equipment, this may be accomplished by an identified switch in the burner supply circuit, placed near the entrance to the room where the burner is located.

(g) **Emergency Switch for Fuel-Burning Equipment.** Fuel-burning equipment must have a device to manually stop the flow of fuel at the fuel train to the burner. The device must be placed in a convenient location at a safe distance from the burner and must be identified as an emergency disconnect. *See IMC §304.1.1.*

Sections 210-24 to 210-50. *[As in NEC]*

Section 210-52. Dwelling Unit Receptacle Outlets. *[Introductory paragraphs as in NEC]*

(a) - (d) *[As in NEC]*

(e) Outdoor Outlets.

(1) General. For a 1-family dwelling and for each unit of a 2-family dwelling that is at grade level, at least 1 receptacle outlet, accessible at grade level and not more than 6½ (1.98 m) above grade, must be installed at the front and back of the dwelling. *See* § 210-8 (a) (3).

(2) Near Public Walkway. A receptacle installed less than 10 feet (3.05 m) from a public walkway must be wall-switch controlled from within the dwelling unit.

(3) Decks. At least 1 GFI receptacle must be installed on all levels of decks.

(f) - (h) *[As in NEC]*

Sections 210-60 to 210-70. *[As in NEC]*

ARTICLE 215 – FEEDERS *[As in NEC]*

ARTICLE 220 – BRANCH-CIRCUIT, FEEDER, AND SERVICE CALCULATIONS *[As in NEC]*

ARTICLE 225 – OUTSIDE BRANCH CIRCUITS AND FEEDERS

Sections 225-1 to 225-26. *[As in NEC]*

Section 225-30. Number of Supplies. *[Introductory paragraph as in NEC]*

(a) - (c) *[As in NEC]*

(d) Different Characteristics. By special permission, additional feeders or branch circuits may be used for different voltages, frequencies, or phases, or for different uses, such as control of outside lighting from multiple locations.

(e) Documented Switching Procedures. *[As in NEC]*

Sections 225-31 to 225-53. *[As in NEC]*

ARTICLE 230 – SERVICES

Section 230-1. Scope. *[As in NEC]*

Section 230-2. Number of Services. *[Introductory paragraph as in NEC]*

(a) - (c) *[As in NEC]*

(d) Different Characteristics. By special permission, additional services may be used for different voltages (where compatible), frequencies, or phases, or for different uses, such as for different rate schedules.

(e) Identification. *[As in NEC]*

Sections 230-3 to 230-23. *[As in NEC]*

Section 230-24. Clearances. *[Introductory paragraph as in NEC]*

(a) - (d) *[As in NEC]*

(e) Clearance Above Decks. Conductors must have a vertical clearance of at least 8' at the lowest point above the deck surface.

Sections 230-26 to 230-212. *[As in NEC]*

ARTICLE 240 – OVERCURRENT PROTECTION *[As in NEC]*

ARTICLE 250 – GROUNDING

Sections 250-1 to 250-50. *[As in NEC]*

Section 250-52. Made and Other Electrodes. *[Introductory paragraph as in NEC]*

(a) Metal Underground Gas Piping Systems and Structures. Neither gas piping nor any other metallic piping or tanks that contain flammable liquids may be used as grounding electrodes.

(b) - (e) *[As in NEC]*

Sections 250-54 to 250-62. *[As in NEC]*

Section 250-64. Grounding Electrode Conductor Installation. *[Introductory paragraph as in NEC]*

(a) - (c) *[As in NEC]*

(d) Grounding Electrode Conductor Taps.

(1) When Allowed. Taps may be connected to the grounding electrode conductor if:

- a. a service consists of more than a single enclosure, as permitted in § 230-40, Exception No. 2, and
- b. a trough or current transformer cabinet is not provided on the supply side of the service equipment enclosure(s).

(2) Specifications. Each tap conductor must extend to the inside of each enclosure. The grounding electrode conductors must be sized in accordance with § 250-66, but the tap conductors may be sized in accordance with the grounding electrode conductors specified in § 250-66 for the largest conductor serving the respective enclosures. The tap conductors must be connected to the grounding electrode conductor so that the grounding electrode conductor remains without a splice or joint.

(e) Enclosures for Grounding Electrode Conductors. [As in NEC]

Section 250-66. Size of Alternating-Current Grounding Electrode Conductor. [As in NEC]

Section 250-68. Grounding Electrode Conductor Connection to Grounding Electrodes.

- (a) Accessibility.** The connection of a grounding electrode conductor to a grounding electrode must be:

- (1) ahead of all turnoff valves and unions, and
- (2) accessible.

Exception: *[As in NEC]*

(b) Effective Grounding Path. [As in NEC]

Sections 250-70 to 250-102. [As in NEC]

Section 250-104. Bonding of Piping Systems and Exposed Structural Steel.

(a) Metal Wire Piping. [As in NEC]

(b) Metal Gas Piping. [Not Adopted]

(c) - (d) [As in NEC]

Sections 250-106 to 250-190. [As in NEC]

ARTICLE 280 - SURGE ARRESTERS [As in NEC]

**CHAPTER 3
WIRING METHODS AND MATERIALS**

ARTICLES 300 TO 334 [As in NEC]

ARTICLE 336 – NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC, AND NMS

Sections 336-1 to 336-4. [As in NEC]

Section 336-5. Uses Not Permitted.

- (a) Types NM, NMC, and NMS.** Types NM, NMC, and NMS cables may not be used in the following:

- (1) - (9) [As in NEC]**

Exception: *Notwithstanding any other provision of this code, Types NM, NMC, and NMS cables may be used in any dwelling or structure that:*

- a. *contains no more than 4 floors of habitable space, and*
- b. *is equipped with an approved automatic fire suppression system.*

(b) Types NM and NMS. *[As in NEC]*

Sections 336-6 to 336-31. *[As in NEC]*

ARTICLES 338 TO 351 *[As in NEC]*

ARTICLE 352 – SURFACE METAL RACEWAYS AND SURFACE NONMETALLIC RACEWAYS

Sections 352-1 to 352-9. *[As in NEC]*

Section 352-10 Equipment Grounding Conductor. In all occupancies, receptacle outlets supplied by a surface metal raceway must contain an equipment grounding conductor within the raceway.

Sections 352-21 to 352-51. *[As in NEC]*

ARTICLES 353 TO 384 *[As in NEC]*

CHAPTER 4 EQUIPMENT FOR GENERAL USE

ARTICLES 400 TO 411 *[As in NEC]*

ARTICLE 422 – APPLIANCES

Sections 422-1 to 422-46. *[As in NEC]*

Section 422-47. Water Heater Controls. *[Introductory paragraph as in NEC]*

(a) - (b) *[As in NEC]*

(c) Disconnecting Means. Circuits that supply water heaters must have a disconnecting means other than the overcurrent device. This disconnecting means must be installed close to the water heater.

Sections 422-48 to 422-62. *[As in NEC]*

ARTICLES 424 TO 490 *[As in NEC]*

CHAPTER 5 SPECIAL OCCUPANCIES

ARTICLES 500 TO 520 *[As in NEC]*

ARTICLE 525 – CARNIVALS, CIRCUSES, FAIRS, AND SIMILAR EVENTS.

Sections 525-1 to 525-12. *[As in NEC]*

Section 525-13. Wiring Methods.

(a) - (g) *[As in NEC]*

(h) **Electrical Lamps.** Electrical fixtures must be so installed that lamps are kept at least 8 inches (203 mm) away from tent canvas or other combustible materials.

Section 525-14. Boxes and Fittings. *[As in NEC]*

Section 525-15. Portable Distribution or Termination Boxes. *[Introductory paragraph as in NEC]*

(a) - (d) *[As in NEC]*

(e) **Junction Boxes.** Taps and connections within 8 feet (2.44 m) of the ground must be made in junction boxes that are kept locked at all times when the public is on the grounds. Metal junction boxes must be grounded.

Sections 525-16 to 525-21. *[As in NEC]*

Section 525-22. Equipment Grounding Conductor.

(a) **General.** *[As in NEC 525-22]*

(b) **Other Equipment.** All rides, amusements, booths, truck bodies, and refrigeration or heating equipment that use electricity for power or lighting must have all metal parts adequately grounded in accordance with Article 250.

Sections 525-30 and 525-40. *[As in NEC]*

ARTICLES 530 TO 555 *[As in NEC]*

CHAPTER 6 SPECIAL EQUIPMENT

ARTICLE 600 – ELECTRIC SIGNS AND OUTLINE LIGHTING

Sections 600-1 to 600-5. *[As in NEC]*

Section 600-6. Disconnects. *[Introductory paragraph as in NEC]*

Exceptions: [As in NEC]

(a) - (b) *[As in NEC]*

(c) **Sign Outside Building.** If a sign is supported on the outside of a building, the switch required by this section must be mounted adjacent to the sign on the outside of the building. Only the wiring on the load side of the switch is permitted within the sign.

Sections 600-7 to 600-42. *[As in NEC]*

ARTICLES 604 TO 690 *[As in NEC]*

ARTICLE 695 – FIRE PUMPS

Sections 695-1 to 695-2. *[As in NEC]*

Section 695-3. Power Source(s) for Electric Motor-Driven Fire Pumps. *[Introductory paragraph as in NEC]*

(a) **Individual Sources.** *[Introductory paragraph as in NEC]*

(1) **Electric Utility Service Connection.** *[As in NEC]*

(2) **On-Site Power Production Facility.** *[Not Adopted]*

(b) **Multiple Sources.** *[Introductory paragraph as in NEC]*

(1) **Generator Capacity.** An on-site generator(s) used to comply with this section must be of sufficient capacity to allow normal starting and running of the motor(s) driving the fire pump(s) while supplying all other simultaneously operated load. Automatic shedding of one or more optional standby loads to comply with this capacity requirement is permitted. A tap ahead of the on-site generator disconnecting means is required.

(2) **Feeder Sources.** *[As in NEC]*

(3) **Arrangement.** *[As in NEC]*

Sections 695-4 to 695-5. *[As in NEC]*

Section 695-6. Power Wiring. *[Introductory paragraph as in NEC]*

(a) **Service Conductors.** *[As in NEC]*

Exception: [As in NEC]

(b) **Circuit Conductors.** *[As in NEC]*

Exception: [Not Adopted]

(c) - (g) *[As in NEC]*

Sections 695-7 to 695-10. *[As in NEC]*

Section 695-12. Equipment Location.

(a) - (f) *[As in NEC]*

(g) **Fire Pump Location.** Fire pump and associated equipment must be located in a separate room that is enclosed with 2-hour fire-resistance-rated fire-separation assemblies.

Section 695-14. Control Wiring. *[As in NEC]*

CHAPTER 7 SPECIAL CONDITIONS

ARTICLE 700 – EMERGENCY SYSTEMS

Sections 700-1 to 700-9. *[As in NEC]*

Section 700-12. General Requirements. Current supply must be such that, in the event of the failure of the normal supply to or within the building or group of buildings concerned, emergency lighting, emergency power, or both will be available within the time required for the application, but not to exceed 10 seconds. The supply system for emergency purposes, in addition to the normal services to the building and meeting the general requirements of this section, must be 1 or more of the types of systems described in subsections (a) through (c) of this section. Unit equipment in accordance with subsection (e) of this section satisfies the applicable requirements of this article.

In selecting an emergency source of power, consideration must be given to the occupancy and the type of service to be rendered, whether of minimum duration, as for evacuation of a theater, or longer duration, as for supplying emergency power and lighting due to an indefinite period of current failure from trouble either inside or outside the building.

Equipment must be designed and located to minimize the hazards that might cause complete failure due to flooding, fires, icing, and vandalism.

In assembly occupancies greater than 1,000 persons or in buildings over 75 feet (23 m) high with any of the following occupancy classes – assembly, educational, residential, detention and correctional, business and mercantile – equipment for sources of power as described in subsections (a) through (c) of the section must be installed either in spaces fully protected by approved automatic fire suppression systems (sprinklers, carbon dioxide systems, etc.) and a 1-hour fire rating or in spaces with a 2-hour fire rating.

(a) - (c) *[As in NEC]*

(d) **Emergency System.** Only 1 of the sources of power described in NEC § 700-12(a), (b), (c), or (e) may be provided for an emergency system.

(e) Unit Equipment. *[As in NEC]*

Sections 700-15 to 700-26. *[As in NEC]*

ARTICLE 701 – LEGALLY REQUIRED STANDBY SYSTEMS

Sections 701-1 to 701-10. *[As in NEC]*

Section 701-11. Legally Required Standby Systems. *[Introductory paragraphs as in NEC]*

(a) - (c) *[As in NEC]*

(d) Separate Service. *[Not Adopted]*

(e) Standby System. Only 1 of the sources of power described in NEC § 701-11(a), (b), (c), or (f) may be provided for a legally required standby system.

(f) Unit Equipment. *[As in NEC]*

Sections 701-15 to 701-17. *[As in NEC]*

ARTICLE 702 – OPTIONAL STANDBY SYSTEMS

Sections 702-1 to 702-9. *[As in NEC]*

Section 702-10. Portable Gasoline-Powered Generators. Where public utility service is available, a portable gasoline-powered generator may not be used in place of normal power source.

Exception: Where power is interrupted due to emergency conditions.

ARTICLES 705 TO 780 *[As in NEC]*

**CHAPTER 8
COMMUNICATIONS SYSTEMS
*[As in NEC]***

**CHAPTER 9
TABLES
*[As in NEC]***

**PART IV
NATIONAL FUEL GAS CODE**

§ 4-101. City adoption.

(a) *In general.*

The National Fuel Gas Code (1999 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part IV.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part IV refer to the chapter and section numbers of the National Fuel Gas Code.

§ 4-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

**CHAPTER 1
GENERAL**

1.1 TO 1.6 [As in NFGC]

1.7 DEFINITIONS.

1.7.1 General. Except as provided in § 1.7.2, terms that are used and defined in the National Fuel Gas Code (1999 Edition) have the meanings given in the National Fuel Gas Code (1999 Edition).

1.7.2 Supplemental definitions. Notwithstanding any different definition in the National Fuel Gas Code, the following terms have the meanings given in this § 1.7.2.

1.7.2.1 Authority Having Jurisdiction. “Authority having jurisdiction” means the Commissioner of Housing and Community Development or an authorized representative of the Commissioner.

1.7.2.2 May not, etc. “May not”, “must not”, and “no ... may” are each mandatory negative terms used to establish a prohibition.

1.7.2.3 Must/shall. “Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

1.7.2.4 Person. “Person” has the meaning stated in § 202.2 of the Baltimore City Building Code.

1.7.3 Terms defined in other codes. If a term is not defined in this Code and is defined in the Baltimore City Building Code or in one or another of the standards and codes listed in § 101.4 of the Baltimore City Building Code, the term has the meaning given to it in that code or standard.

CHAPTER 2
GAS-PIPING SYSTEM DESIGN, MATERIALS, AND COMPONENTS
[As in NFGC]

CHAPTER 3
GAS PIPING INSTALLATION

3.1 TO 3.5 *[As in NFGC]*

3.6 GAS PIPE TURNS. Changes in direction of gas pipe must be made by the use of fittings. Factory bends or field bends are only permitted underground, in a location that is outside of any building.

3.6.1 - 3.6.4 *[As in NFGC]*

3.7 DRIPS AND SEDIMENT TRAPS.

3.7.1 Provide Drips Where Necessary. *[As in NFGC]*

3.7.2 Location of Drips. *[As in NFGC]*

3.7.3 Sediment Traps. A sediment trap is required at the bottom of all vertical gas piping with a run that is 8 feet (2438 mm) long or longer. The sediment trap must be served by a manual shutoff valve. *(See also § 5.5.7.)*

3.8 TO 3.16 *[As in NFGC]*

CHAPTER 4
INSPECTION, TESTING, AND PURGING

4.1 PRESSURE TESTING AND INSPECTION.

4.1.1 General.

(a) - (e) *[As in NFGC]*

(f) All testing must be completed before any protective coating is applied.

4.1.2 - 4.1.5 *[As in NFGC]*

4.2 SYSTEM AND EQUIPMENT LEAKAGE TEST. *[As in NFGC]*

4.3 PURGING. [As in NFGC]**CHAPTER 5
EQUIPMENT INSTALLATION
[As in NFGC]****CHAPTER 6
INSTALLATION OF SPECIFIC EQUIPMENT****6.1 GENERAL. [As in NFGC]****6.2 AIR-CONDITIONING EQUIPMENT (GAS-FIRED AIR CONDITIONERS AND HEAT PUMPS).
[As in NFGC]****6.3 CENTRAL HEATING BOILERS AND FURNACES.****6.3.1 - 6.3.4 [As in NFGC]****6.3.5 Steam Safety and Pressure Relief Valves. [Introductory paragraph as in NFGC]**

(1) Relief valves must be piped to a floor drain or an approved receptor.

(2) - (3) [As in NFGC]

6.3.6 - 6.3.8 [As in NFGC]**6.4 TO 6.23 [As in NFGC]****6.24 ROOM HEATERS.**

6.24.1 Prohibited Installations. Unvented room heaters are prohibited.

Exceptions 1 -2 [Not Adopted]

6.24.2 - 6.24.4 [As in NFGC]

6.24.5 Anchoring. Room heaters must be securely anchored.

6.25 TO 6.31 [As in NFGC]**CHAPTER 7
VENTING OF EQUIPMENT
[As in NFGC]**

CHAPTER 8
PROCEDURES TO PLACE EQUIPMENT IN OPERATION
[As in NFGC]

CHAPTER 9
SIZING TABLES
[As in NFGC]

CHAPTER 10
SIZING OF CATEGORY I VENTING SYSTEMS
[As in NFGC]

CHAPTER 11
REFERENCED PUBLICATIONS
[As in NFGC]

PART V
INTERNATIONAL MECHANICAL CODE

§ 5-101. City adoption.

(a) *In general.*

The International Mechanical Code (2000 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part V.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers Part V refer to the chapter and section numbers of the International Mechanical Code.

§ 5-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

CHAPTER 1
ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations constitute and are known as the “Mechanical Code of Baltimore City”.

101.2 Scope. This Code regulates the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This Code also regulates those mechanical systems, system components, equipment, and appliances specifically addressed in it.

101.2.1 Fuel gas equipment, etc. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired venting systems are governed by the National Fuel Gas Code.

101.2.2 Appendices. Provisions in the appendices do not apply unless specifically adopted.

101.3 Intent. *[As in IMC]*

101.4 Severability. *[As in IMC]*

SECTION 102 APPLICABILITY *[As in IMC]*

SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION

103.1 General. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

- a. “Department of Mechanical Inspection” or “Department” means the Department of Housing and Community Development, and
- b. “Code Official”, means the Commissioner of Housing and Community Development or an authorized representative of the Commissioner.

103.2 Appointment. *[Not adopted]*

103.3 Deputies. *[Not adopted]*

103.4 Liability. *[Not adopted]*

SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL *[As in IMC]***SECTION 105 APPROVAL** *[As in IMC]***SECTION 106 PERMITS**

106.1 When required. *[As in IMC]*

106.2 Permits not required. Permits are not required for the following:

1. *[As in IMC]*
- 2 - 4. *[Not Adopted]*
- 5 - 7. *[As in IMC]*

106.2.1 Code compliance still required. An exemption from the permit requirements of this Code does not authorize any work to be done in violation of this Code or any other applicable law.

106.3 Application for permit. *[As in IMC]*

106.4 Permit issuance. *[As in IMC]*

106.5 Fees. *[As in IMC]*

106.5.1 Work commencing before permit issuance. *[Not Adopted]*

106.5.2 Fee schedule. The fees for mechanical work are as provided in the Baltimore City Building Code.

106.5.3 Fee refunds. *[Not Adopted]*

SECTION 107 INSPECTIONS AND TESTING [As in IMC]**SECTION 108 VIOLATIONS****108.1 - 109.3 [As in IMC]**

108.4 Violation penalties. The criminal penalties for a violation of this Code are as provided for a violation of the Baltimore City Building Code.

108.5 Stop work orders. The issuance and enforcement of stop work orders are as provided in the Baltimore City Building Code.

108.6 Abatement of violation. [As in IMC]**108.7 Unsafe mechanical systems. [As in IMC]****SECTION 109 ADMINISTRATIVE AND JUDICIAL REVIEW**

109.1 General. A decision of the Code Official is subject to administrative and judicial review as provided in the Baltimore City Building Code.
(Ord. 04-672.)

109.2 - 109.7 [Not Adopted]**CHAPTER 2
DEFINITIONS****SECTION 201 GENERAL****201.1 Scope. [As in IMC]****201.2 Interchangeability. [As in IMC]**

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in the Baltimore City Building Code or in one or another of the standards and codes listed in § 101.4 of the Baltimore City Building Code, the term has the meaning given to it in that code or standard.

201.4 Terms not defined. [As in IMC]**SECTION 202 GENERAL DEFINITIONS**

202.1 General. Except as provided in § 202.2, terms that are used and defined in the International Mechanical Code (2000 Edition) have the meanings given in the International Mechanical Code (2000 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Mechanical Code, the following terms have the meanings given in this § 202.2.

202.2.1 Air distribution system. “Air distribution system” means a system of ducts, plenums, and air-handling equipment that circulates, supplies, returns, or exhausts air within a space, as required by code or design, and includes a system made up of 1 or more air-handling units.

202.2.2 Building. “Building” has the meaning stated in IMC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.3 Code Official. “Code Official” has the meaning stated in § 103.1 of this Code.

202.2.4 May not, etc. “May not”, “must not”, and “no ... may” are each mandatory negative terms used to establish a prohibition.

202.2.5 Must/shall. “Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

202.2.6 Occupancy. “Occupancy” means:

- a. the state of occupying or using lands, buildings, or structures, or
- b. the act of taking, holding possession of, or using lands, buildings, or structures.

202.2.7 Premises. “Premises” means a lot or group of lots, together with all or any part of any buildings or structures on the lot or group of lots, considered as a unit devoted to a particular use, including accessory structures and open spaces required or used in connection with that particular use.

CHAPTER 3 GENERAL REGULATIONS

SECTION 301 GENERAL

301.1 Scope. *[As in IMC]*

301.2 Energy utilization. *[As in IMC]*

301.2.1 Outdoor design temperatures. Outdoor design temperatures must be based on:

- a. the 97.5% value for heating (17° F [-8° C]), and
- b. the 2.5% value for cooling (89° F [32° C] Dry bulb; 78° F [25° C] Wet bulb).

301.2.2 Indoor design temperatures. Indoor design temperatures must be:

- a. 70° F (22° C) for heating, and
- b. 78° F (25° C) for cooling.

301.3 Fuel gas appliances and equipment. The approval and installation of fuel gas distribution piping and equipment, fuel gas-fired appliances, and fuel gas-fired appliance venting systems must be in accordance with the National Fuel Gas Code.

301.4 - 301.6 *[As in IMC]*

301.7 Electrical. Electrical wiring, controls, and connections to equipment and appliances regulated by this code must be in accordance with the National Electrical Code.

301.8 Plumbing connections. Potable water supply and building drainage system connections to equipment and appliances regulated by this code must be in accordance with the National Standard Plumbing Code.

301.9 - 301.16 *[As in IMC]*

SECTION 302 PROTECTION OF STRUCTURE *[As in IMC]*

SECTION 303 EQUIPMENT AND APPLIANCE LOCATION

303.1 General. *[As in IMC]*

303.2 Hazardous locations. *[As in IMC]*

303.3 Prohibited Locations. Fuel-fired appliances may not be located in, or obtain combustion air from, any of the following rooms or spaces:

- a. sleeping rooms,
- b. bathrooms,
- c. toilet rooms,
- d. storage closets,
- e. surgical rooms, or
- f. residential kitchens (except cooking appliances).

Exception: *[As in IMC]*

303.4 - 303.6 *[As in IMC]*

303.7 Pit Locations. New or replacement equipment or appliances installed in pits or excavations may not come in direct contact with the surrounding soil. The sides of the pit or excavation must be held back at least 12 inches (305 mm) from the equipment and appliances. Where the depth exceeds 12 inches (305 mm) below adjoining grade, the walls of the pit or excavation must be lined with concrete or masonry that extends at least 4 inches (102 mm) above adjoining grade having sufficient lateral load-bearing capacity to resist collapse. The equipment and appliances must be protected from flooding in an approved manner.

303.8 Elevator shafts. [As in IMC]**SECTION 304 INSTALLATION****304.1 - 304.3 [As in IMC]**

304.4 Public Garages. In public garages, service stations, repair garages, or other areas frequented by motor vehicles, appliances and other pieces of equipment must be installed at least 8 feet (2438 mm) above the floor. Where motor vehicles exceed 6 feet (1829 mm) in height and are capable of passing under an appliance or piece of equipment, the appliance or piece of equipment must be installed no lower than the top of the garage door entrance opening.

Exception: This § 304.4 does not apply to equipment and appliances that are protected from motor vehicle impact and installed in accordance with § 304.3 and NFPA 88B.

304.5 - 304.10 [As in IMC]

304.11 Disconnects For Fuel-Burning Equipment. Fuel-burning equipment must be supplied with 2 emergency disconnect switches. One switch must be installed on the equipment and the other in a convenient, labeled location that is near the entrance to the area where the equipment is located. See NEC § 210-23.

SECTION 305 PIPING SUPPORT**305.1 General. [As in IMC]**

305.2 Materials. Pipe hangers and supports must be strong enough to withstand all anticipated static and specified dynamic loading conditions associated with the intended use. Pipe hangers and supports that are in direct contact with piping must be of approved materials that are compatible with the piping and will not promote galvanic action. Strap iron hangers may not be used as hangers or supports.

305.3 Structural attachment. Hangers and anchors must be attached to the building construction in an approved manner. Hangers and supports may not be attached to other piping systems for anchoring or support.

305.4 Interval of support. [As in IMC]**SECTION 306 ACCESS AND SERVICE SPACE****306.1 Clearances for maintenance and replacement. [As in IMC]****306.2 Appliances in rooms. [As in IMC]****306.3 Appliances in attics. [As in IMC]**

306.3.1 Electrical requirements. A lighting fixture controlled by a switch located at the required passageway opening and a receptacle outlet must be provided at or near the appliance location in accordance with the National Electrical Code.

306.4 Appliances under floors. [As in IMC]

306.4.1 Electrical requirements. A lighting fixture controlled by a switch located at the required passageway opening and a receptacle outlet must be provided at or near the appliance location in accordance with the National Electrical Code.

306.5 Equipment and appliances on roofs and elevated structures. [As in IMC]**306.6 Sloped roofs. [As in IMC]****SECTION 307 CONDENSATE DISPOSAL****307.1 Fuel-burning appliances. [As in IMC]****307.2 Evaporators and cooling coils. [As in IMC]**

307.2.1 Condensate disposal. Condensate from all cooling coils or evaporators must be conveyed from the drain pan outlet to an approved place of disposal. Condensate may not discharge into a street, alley, or other area so as to cause a nuisance. Clear water discharge must be conveyed to the storm drain unless otherwise approved by the Code Official.

307.2.2 - 307.2.3 [As in IMC]**307.2.4 Traps. [Not adopted]****SECTION 308 CLEARANCE REDUCTION [As in IMC]****SECTION 309 TEMPERATURE CONTROL [As in IMC]****SECTION 310 EXPLOSION VENTING [As in IMC]****SECTION 311 SMOKE AND HEAT VENTS [As in IMC]****SECTION 312 HEATING AND COOLING LOAD CALCULATIONS**

312.1 Load Calculations. Heating and cooling system design loads for the purpose of sizing systems, appliances, and equipment must be determined in accordance with the procedures described in the ASHRAE Handbook of Fundamentals or an equivalent computation procedure, using the design parameters specified in Chapter 3 of the International Energy Conservation Code and § 301.2 of this Code. For new or replaced heating and cooling equipment, envelope calculations based on Manual “J”, published by the Air Conditioning Contractors of America, or its equivalent must be submitted to the Code Official with the permit application.

CHAPTER 4 VENTILATION

SECTION 401 GENERAL

401.1 - 401.4 [As in IMC]

401.5 Opening location. [As in IMC]

401.5.1 Intake openings. [As in IMC]

401.5.2 Exhaust openings. Outside exhaust openings must be located so as not to create a nuisance. Exhaust air may not be directed onto walkways. Exhaust openings must be at least 10 feet (3048 mm) above grade.

401.6 Outdoor opening protection. [As in IMC]

401.7 Contaminants sources. [As in IMC]

401.7.1 Bathrooms. Rooms that contain a bathtub, shower, spa, or similar bathing fixture must be mechanically ventilated in accordance with § 403 of this Code. This mechanical ventilation must discharge to the outside atmosphere; however, a recirculating fan may be used if the room has a working window to the outdoors.

SECTION 402 NATURAL VENTILATION [As in IMC]

SECTION 403 MECHANICAL VENTILATION

403.1 Ventilation System. Mechanical ventilation must be provided by a method of supply air and return or exhaust air. The amount of supply air must be approximately equal to the amount of return and exhaust air. The system may produce a negative (5-10%) or positive (5-10%) pressure. The system must be designed and installed in accordance with Chapter 6 of this Code.

403.1.1 Area of delivery. Ventilation supply systems must deliver the required rate of supply air to the zone within the occupied space between 3 inches (76 mm) and 72 inches (1829 mm) above the floor and more than 2 feet (610 mm) from the enclosing walls.

403.2 - 403.3 [As in IMC]

SECTION 404 ENCLOSED PARKING GARAGES [As in IMC]

SECTION 405 SYSTEMS CONTROL [As in IMC]

SECTION 406 VENTILATION OF UNINHABITED SPACES [As in IMC]

CHAPTER 5 EXHAUST SYSTEMS

SECTION 501 GENERAL

501.1 Scope. *[As in IMC]*

501.2 Independent system required. *[As in IMC]*

501.3 Outdoor discharge. *[As in IMC]*

Exception: *[Not adopted]*

SECTION 502 REQUIRED SYSTEMS

502.1 - 502.12 *[As in IMC]*

502.13 Motor vehicle operation. In any area where motor vehicles operate:

- a. recirculation of ventilation air is prohibited,
- b. for stationary motor vehicles, the area must be provided with a source capture system that connects directly to the motor vehicle exhaust systems, and
- c. in fuel-dispensing areas, the bottom of the air inlet or exhaust opening must be located no more than 18 inches (203 mm) above the floor.

Exceptions: *[As in IMC]*

SECTION 503 MOTORS AND FANS *[As in IMC]*

SECTION 504 CLOTHES DRYER EXHAUST *[As in IMC]*

SECTION 505 DOMESTIC KITCHEN EXHAUST EQUIPMENT *[As in IMC]*

SECTION 506 COMMERCIAL KITCHEN GREASE DUCTS AND EXHAUST EQUIPMENT *[As in IMC]*

506.1 General. *[As in IMC]*

506.2 Corrosion protection. *[As in IMC]*

506.3 Ducts serving Type I hoods. *[As in IMC]*

506.3.1 - 506.3.12 *[As in IMC]*

506.3.13 Type 1 Exhaust outlets. Exhaust outlets for ducts that serve commercial food heat-processing equipment must extend as directly as possible through the roof. The discharge exhaust airflow must be directed vertically to the greatest extent possible.

506.3.13.1 Termination. The exhaust outlet must terminate:

- a. at least 40 inches (1016 mm) above the roof surface,
- b. at least 10 feet (3048 mm) above the adjoining grade level, and
- c. at least 10 feet (3048 mm) from any part of:
 1. the same or any contiguous building,
 2. any adjacent property, and
 3. any makeup air intake.

Exceptions: *[As in IMC § 506.3.13.3]*

506.4 Ducts serving Type II hoods. *[As in IMC]***SECTION 507 COMMERCIAL KITCHEN HOODS** *[As in IMC]***SECTION 508 COMMERCIAL KITCHEN MAKEUP AIR** *[As in IMC]***SECTION 509 FIRE SUPPRESSION SYSTEMS** *[As in IMC]***SECTION 510 HAZARDOUS EXHAUST SYSTEMS** *[As in IMC]***SECTION 511 DUST, STOCK, AND REFUSE CONVEYING SYSTEMS** *[As in IMC]***SECTION 512 SUBSLAB SOIL EXHAUST SYSTEMS****512.1 General.** *[As in IMC]***512.2 Materials.** Subslab soil exhaust systems duct material must be:

- a. air duct material listed and labeled to the requirements of UL 181 for Class O air ducts, or
- b. any of the following piping materials that comply with the National Standard Plumbing Code as building sanitary drainage and vent pipe:
 1. cast iron,
 2. galvanized steel,
 3. brass or copper pipe,
 4. copper tube of a weight not less than that of copper tube, Type DWV, and
 5. plastic piping.

SECTION 513 SMOKE CONTROL SYSTEMS**513.1 - 513.10** *[As in IMC]*

513.11 Power systems. The smoke control system must be supplied with two sources of power. Primary power must be the normal building power systems. Secondary power must be from an approved standby source complying with the National Electrical Code. The standby power source and its transfer switches must be in a separate room from the normal power transformers and switch gear and must be enclosed in a room of not less than 1-hour fire-resistance-rated construction, ventilating directly to and from the exterior. Power distribution from the two sources must be by independent routes. Transfer to full standby power must be automatic and within 60 seconds of failure of the primary power. The systems must comply with the National Electrical Code.

513.12 Detection and control systems. *[As in IMC]*

513.12.1 Wiring. In addition to meeting the requirements of the National Electrical Code, all wiring, regardless of the voltage, must be fully enclosed within continuous raceways.

513.12.2 Activation. *[As in IMC]***513.12.3 Automatic control.** *[As in IMC]***513.13 - 513.20** *[As in IMC]***CHAPTER 6
DUCT SYSTEMS****SECTION 601 GENERAL** *[As in IMC]***SECTION 602 PLENUMS****602.1 General.** *[As in IMC]***602.2 Construction.** *[As in IMC]***602.2.1 Materials exposed within plenums.** *[As in IMC]*

602.2.1.1 Wiring. Combustible electrical or electronic wiring methods and materials, optical fiber cable, and optical fiber raceway exposed within a plenum must have a peak optical density not greater than 0.50, an average optical density not greater than 0.15, and a flame spread not greater than 5 feet (1524 mm) when tested in accordance with UL 910. Only type OFNP (plenum-rated nonconductive optical fiber cable) must be installed in plenum-rated optical fiber raceways. Wiring, cable, and raceways addressed in this section must be listed and labeled as plenum rated and must be installed in accordance with the National Electrical Code.

602.3 Stud cavity and joist space plenums. *[As in IMC]*

Exception: Stud wall cavities and spaces between solid floor joists abutting garage walls may not be utilized as air plenums.

602.4 Flood hazard. *[As in IMC]*

SECTIONS 603 TO 607 *[As in IMC]*

**CHAPTER 7
COMBUSTION AIR**

SECTION 701 GENERAL

701.1 Scope. This chapter governs the requirements for combustion and dilution air for fuel-burning appliances other than gas-fired appliances. The requirements for combustion and dilution air for gas-fired appliances are as provided in the National Fuel Gas Code.

701.2 - 701.5 *[As in IMC]*

SECTIONS 702 TO 710 *[As in IMC]*

**CHAPTER 8
CHIMNEYS AND VENTS**

SECTION 801 GENERAL

801.1 Scope. This chapter governs installation, maintenance, repair, and approval of factory-built chimneys, chimney liners, vents, and connectors. This chapter also governs the utilization for masonry chimneys. Gas-fired appliances must be vented in accordance with the National Fuel Gas Code.

801.2 - 801.17 *[As in IMC]*

801.18 Existing chimneys and vents. *[As in IMC]*

801.18.1 - 801.18.4 *[As in IMC]*

801.18.5 Prohibited use. Masonry chimneys may not be used simultaneously as air duct chases and flue gas chases.

801.19 Multistory prohibited. *[As in IMC]*

SECTIONS 802 TO 806 *[As in IMC]*

CHAPTER 9

SPECIFIC APPLIANCES, FIREPLACES, AND SOLID FUEL-BURNING EQUIPMENT

SECTION 901 GENERAL

901.1 Scope. This chapter governs the approval, design, installation, construction, maintenance, alteration, and repair of the appliances and equipment specifically identified and factory-built fireplaces. The approval, design, installation, construction, maintenance, alteration, and repair of gas-fired appliances is regulated by the National Fuel Gas Code.

SECTIONS 902 TO 905 *[As in IMC]*

SECTION 906 FACTORY-BUILT BARBECUE APPLIANCES

906.1 General. Factory-built barbecue appliances must be of an approved type and must be installed in accordance with the manufacturer's installation instructions, this chapter, Chapters 3, 5, 7, and 8, and the National Fuel Gas Code.

SECTION 907 INCINERATORS AND CREMATORIES *[As in IMC]*

SECTION 908 COOLING TOWERS, EVAPORATIVE CONDENSERS, AND FLUID COOLERS

908.1 - 908.4 *[As in IMC]*

908.5 Water supply. Water supplies and protection must be provided as required by the National Standard Plumbing Code.

908.6 Drainage. *[As in IMC]*

SECTIONS 909 TO 924 *[As in IMC]*

CHAPTER 10

BOILERS, WATER HEATERS, AND PRESSURE VESSELS

SECTION 1001 GENERAL *[As in IMC]*

SECTION 1002 WATER HEATERS

1002.1 General. Potable water heaters and hot water storage tanks must be listed and labeled and installed in accordance with the manufacturer's installation instructions, the National Standard Plumbing Code, and this code. All water heaters must be capable of being removed without first removing a permanent portion of the building structure. The potable water connections and relief valves for all water heaters must conform to the requirements of the National Standard Plumbing Code. Domestic electric water heaters must comply with UL 174 or UL 1453. Commercial electric water heaters must comply with UL 1453. Oil-fired water heaters must comply with UL 732.

1002.2 Water heaters utilized for space heating. Water heaters utilized both to supply potable hot water and to provide hot water for space-heating applications must be listed and labeled for those applications by the manufacturer and must be installed in accordance with the manufacturer's installation instructions and the National Standard Plumbing Code.

1002.2.1 Sizing. *[As in IMC]*

1002.2.2 Scald protection. *[As in IMC]*

1002.3 Supplemental water-heating devices. Potable water-heating devices that utilize refrigerant-to-water heat exchangers must be approved and installed in accordance with the National Standard Plumbing Code and the manufacturer's installation instructions.

SECTION 1003 PRESSURE VESSELS *[As in IMC]*

SECTION 1004 BOILERS *[As in IMC]*

SECTION 1005 BOILER CONNECTIONS

1005.1 Valves *[As in IMC]*

1005.2 Potable water supply. The water supply to all boilers must be connected in accordance with the National Standard Plumbing Code.

SECTION 1006 SAFETY AND PRESSURE RELIEF VALVES AND CONTROLS

1006.1 - 1006.5 *[As in IMC]*

1006.6 Safety and relief valve discharge. Safety and relief valve discharge pipes must be of rigid pipe that is approved for the temperature of the system. The discharge pipe must be the same diameter as the safety or relief valve outlet. Safety and relief valves may not discharge so as to be a hazard, a potential cause of damage, or otherwise a nuisance. High-pressure-steam safety valves must be vented to the outside of the structure. Where a low-pressure safety valve or where a relief valve discharges the drainage system, the installation must conform to the National Standard Plumbing Code. All discharges to floor drains must be from within 2 to 6 inches (50.8 mm to 152.4 mm) from the drain.

SECTION 1007 BOILER LOW-WATER CUTOFF *[As in IMC]*

SECTION 1008 STEAM BLOWOFF VALVE

1008.1 General. *[As in IMC]*

1008.2 Discharge. Blowoff valves must discharge to a safe place of disposal. Where discharging to the drainage system, the installation must conform to the National Standard Plumbing Code.

SECTION 1009 HOT WATER BOILER EXPANSION TANK

1009.1 Where required. *[As in IMC]*

1009.2 Closed-type expansion tanks. *[As in IMC]*

1009.3 Open-type expansion tanks. Open-type expansion tanks must be located a minimum of 4 feet (1219 mm) above the highest heating element. The tank must be adequately sized for the hot water system. An overflow with a minimum diameter of 1 inch (25 mm) must be installed at the top of the tank. The overflow must discharge to the drainage system in accordance with the National Standard Plumbing Code.

SECTION 1010 GAUGES *[As in IMC]***SECTION 1011 TESTS** *[As in IMC]***CHAPTER 11
REFRIGERATION****SECTION 1101 GENERAL**

1101.1 - 1101.3 *[As in IMC]*

1101.4 Water connection. Water supply and discharge connections associated with refrigeration systems must be made in accordance with the National Standard Plumbing Code.

1101.5 Fuel gas connection. Fuel gas devices, equipment, and appliances used with refrigeration systems must be installed in accordance with the National Fuel Gas Code.

1101.6 - 1101.9 *[As in IMC]*

SECTIONS 1102 TO 1109 *[As in IMC]***CHAPTER 12
HYDRONIC PIPING****SECTION 1201 GENERAL**

1201.1 Scope. This chapter governs the construction, installation, alteration, and repair of hydronic piping systems. This chapter applies to hydronic piping systems that are a part of heating, ventilation, and air-conditioning systems. These piping systems include steam, hot water, chilled water, steam condensate, and ground source heat pump loop systems. Potable cold and hot water distribution systems must be installed in accordance with the National Standard Plumbing Code.

1201.2 Pipe sizing. *[As in IMC]*

SECTIONS 1202 TO 1205 *[As in IMC]*

SECTION 1206 PIPING INSTALLATION**1206.1 General.** *[As in IMC]*

1206.2 System drain down. Hydronic piping systems must be designed and installed to permit the system to be drained. Where the system drains to the plumbing drainage system, the installation must conform to the requirements of the National Standard Plumbing Code.

1206.3 Protection of potable water. The potable water system must be protected from backflow in accordance with the National Standard Plumbing Code.

1206.4 - 1206.11 *[As in IMC]***SECTIONS 1207 TO 1209** *[As in IMC]*

CHAPTER 13
FUEL OIL PIPING AND STORAGE
[No Change from IMC]

CHAPTER 14
SOLAR SYSTEMS

SECTION 1401 GENERAL**1401.1 Scope.** *[As in IMC]*

1401.2 Potable water supply. Potable water systems must be protected against contamination in accordance with the National Standard Plumbing Code.

1401.2 - 1401.5 *[As in IMC]***SECTIONS 1402 TO 1403** *[As in IMC]*

CHAPTER 15
REFERENCED STANDARDS

SECTION 1501 GENERAL

1501.1 Scope. This Chapter 15 lists the standards that are referred to in various sections of this Code. The standards are listed by the promulgating entity, the standard identification, the effective date and title, and the section(s) of this Code that refer to the standard. The application of these standards is as specified in § 102.8 of this Code.

1501.2 City modifications. The following substitutions should be made in the standards listed:

1. For ICC Electrical Code,
substitute **National Electrical Code (1999 Edition)**.
2. For International Fuel Gas Code,
substitute **National Fuel Gas Code (1999 Edition)**.
3. For International Plumbing Code,
substitute **National Standard Plumbing Code (2000 Edition, 2001 Supplement)**.
(Ord. 04-672.)

PART VI
NATIONAL STANDARD PLUMBING CODE

§ 6-101. City adoption.

(a) *In general.*

The National Standard Plumbing Code (2000 Edition, 2001 Supplement) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part VI.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part VI refer to the chapter and section numbers of the National Standard Plumbing Code.

§ 6-102. State Plumbing Code.

The State Plumbing Code (COMAR 09.20.01) adopts the National Standard Plumbing Code subject to certain State modifications. The State modifications are repeated here, for the user's convenience, in the appropriate chapter, section, or other provision. These are labeled "State Modifications".

§ 6-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

ADMINISTRATION

ADM 1.1 TO 1.5 [As in NSPC]

ADM 1.6 ORGANIZATION AND ENFORCEMENT

1.6.1 Administrative Authority

The Building Official is the person having the authority to administer and enforce this Code, as adopted and amended by the City.

1.6.2 - 1.6.8 [As in NSPC]

ADM 1.7 TO 1.10 [As in NSPC]

ADM 1.11 INSPECTIONS

1.11.1 - 1.11.4 [As in NSPC]

1.11.5 Requests for Inspection

When the work is ready for inspection, the person doing the work under the permit:

1. must give the Building Official at least 24 hours' advance notice, by the method (in writing or by telephone) that the Building Official requires,
2. is responsible to make sure that, before giving notice, the work will pass any test that may be required, and
3. is responsible to provide reasonable access and means for accomplishing proper inspections and tests.

1.11.6 Other Inspections [As in NSPC]**1.11.7 Reinspection Fees [As in NSPC]****ADM 1.12 FINAL CONNECTIONS [As in NSPC]****ADM 1.13 UNCONSTITUTIONALITY [As in NSPC]****BASIC PRINCIPLES****INTRODUCTORY PARAGRAPHS****1st - 2nd Paragraphs [As in NSPC]****3rd Paragraph**

As interpretations may be required and unforeseen situations arise that are not specifically covered in this Code, the 23 principles that follow must be used to define the intent.

PRINCIPLES**Principle No. 1 — All Occupied Premises Must Have Potable Water
{Per State Modification}**

All premises intended for human habitation, occupancy, or use must be provided with a supply of potable water. This water supply may not be connected to unsafe water sources or be subject to the hazards of backflow or back siphonage.

Principle Nos. 2 - 3 [As in NSPC]**Principle No. 4 — Water Conservation {Per State Modification}**

Plumbing must be designed and adjusted to use the minimum quantity of water consistent with proper performance and cleaning and in conformity with State Business Occupations and Professionals Article § 12-605(b).

Principle Nos. 5 - 22 [As in NSPC]

Principle No. 23 — Installation of Gas Appliances Gas Piping

All installations of gas appliances gas piping must conform to the requirements contained in the National Fuel Gas Code (1999 Edition), which is incorporated by reference into this Code.

**CHAPTER 1
DEFINITIONS****1.1 GENERAL [As in NSPC]****1.2 DEFINITION OF TERMS****1.2.1 General**

Except as provided in § 1.2.2, terms that are used in these plumbing regulations and defined in the National Standard Plumbing Code (2000 Edition and 2001 Supplement) have the meanings given in that Code.

1.2.2 Supplemental Definitions

Notwithstanding any different definition in the NSPC, the following terms have the meanings given in this § 1.2.2.

1.2.2.1 Administrative Authority

“Administrative Authority” means the Building Official, as defined in § 202.2 of the Building Code of Baltimore City.

1.2.2.2 Air break (drainage system) {Per State Modification}

“Air break (drainage system)” means a piping arrangement in which a drain from a fixture, appliance, or device discharges indirectly into a fixture, receptor, or interceptor at a point below the flood level rim and above the trap seal of the receptor, so installed as to prevent backflow or siphonage.

See [As in NSPC]

1.2.2.3 Approved {Per State Modification}

“Approved” means accepted or acceptable under an applicable standard stated or cited in this Code, or accepted as suitable for the proposed use under procedures and powers of the Administrative Authority under the guidance of, or in conformity with, the standards or listings, or both, of acceptable fixtures and devices that reduce water consumption and meet requirements of safety and sanitation and are certified by an independent testing laboratory to meet one or more of the standards cited in Table 3.1.3 of this Code.

See [As in NSPC]

1.2.2.4 Dead End

“Dead end” means a branch that leads from a water, soil, waste, or vent, building drain or building sewer and terminates at a developed length of 2 feet or more by means of a plug, cap or other closed fitting.

See [As in NSPC]

1.2.2.5 Hot Water {Per State Modification}

“Hot water” means potable water at a temperature of not less than 110° F and not more than 140° F.

See [As in NSPC]

1.2.2.6 Must

“Must” is a mandatory term. (*See also* “shall”.)

1.2.2.7 Plumbing System {Per State Modification}

a. “Plumbing system” includes:

1. the water supply and distribution pipes, plumbing fixtures, and traps,
2. soil, waste, and vent pipes,
3. sanitary and storm drains and building sewers, and
4. their respective connections, devices, and appurtenances to an approved point of disposal.

b. “Plumbing system” does not include the mains of a public sewer system or private or public sewage treatment or disposal plant.

1.2.2.8 Separator {Per State Modification}

See “Interceptor”.

1.2.2.9 Sewage Ejector {Per State Modification}

“Sewage ejector” means a device for lifting sewage by air, steam, or water pressure.

See [As in NSPC]

1.2.2.10 Shall

“Shall” is a mandatory term. (*See also* “Must”.)

CHAPTER 2 GENERAL REGULATIONS

2.1 TO 2.2 *{Reserved}*

2.3 CHANGES IN DIRECTION OF DRAINAGE PIPING

2.3.1 Unrestricted Use *[As in NSPC]*

2.3.2 Restricted Uses

The use of short radius fittings is limited according to the following:

a. *[As in NSPC]*

- b. Horizontal-to-Horizontal Restrictions:** Sanitary T-branches (cast iron soil pipe) DWV tees and short T-Y's (copper DWV), tees and 90-degree short Y-branches (cast iron drainage), and sanitary tees (plastic DWV) may not be used for horizontal-to-horizontal changes in direction. Standard radius DWV 90-degree elbows (copper DWV), 90-degree short elbows, and short Y-branches (cast iron drainage), and quarter bends may be used only for individual fixture drains.

Note: Changes in direction of flow of 135 degrees to 180 degrees may only be completed by using (i) Y-branches, (ii) 1/8th bends, (iii) a combination of Y-branches and 1/8th bends, or (iv) long sweep 90-degree fittings. No short pattern fittings are permitted.

See Figure 2.3.3

c. *[As in NSPC]*

2.3.3 Back-to-Back Fixtures *[As in NSPC]*

2.4 TO 2.12 *[As in NSPC]*

2.13 RATPROOFING

2.13.1 Strainer Plates *[As in NSPC]*

2.13.2 Meter Boxes *[As in NSPC]*

2.13.3 Openings for Pipes

Where openings have been made in walls, floors, and ceilings for the passage of pipe, they must be closed and protected by the same material as that of the wall, floor, or ceiling that the pipe penetrates. A metal collar must then be placed on the adjoining structure.

See [As in NSPC]

2.14 USED MATERIAL OR EQUIPMENT [As in NSPC]**2.15 CONDEMNED EQUIPMENT [As in NSPC]****2.16 FREEZING OR OVERHEATING**

The plumbing system must be protected from freezing or overheating. The following conditions must be met:

- a. Water service piping must be installed below recorded frost lines. Earth cover must be at least 36 inches (914 mm).
- b. Earth cover for building sewers must be at least 30 inches (762 mm).
- c. Where water service piping and building sewers are installed in the same trench, the building sewer line must be installed at least 12 inches below the water piping, with a lateral distance of at least 12 inches between the utilities.
- d. In systems that are used seasonally, water piping must be installed to be drained as permitted in § 3.12.1.
- e. Piping must be installed so that the contents will not be heated due to close proximity to any heat source or from direct solar radiation.
- f. All waste and water supply piping in exterior walls and other areas must be protected from freezing.

See [As in NSPC]

Note: *[As in NSPC]*

2.17 PROTECTIVE FOOTINGS [As in NSPC]**2.18 CONNECTIONS TO PLUMBING SYSTEMS REQUIRED [As in NSPC]****2.19 CONNECTION TO WATER AND SEWER SYSTEM****2.19.1 Availability of Public Water and Sewer**

The water distribution and drainage system of any building in which plumbing fixtures are installed must be connected to a public water supply system and to a public sewer system if the public system is within:

- a. 200 feet (18.58 m) of any property line of the premises, or
- b. any other reasonable distance set by the Administrative Authority.

See [As in NSPC]

Note: *[As in NSPC]*

2.19.2 Private Systems [As in NSPC]**2.20 TO 2.24 [As in NSPC]****2.25 FOOD HANDLING ESTABLISHMENTS**

In newly constructed establishments, soil or drain pipes may not be located over food preparation, storage, display, or serving areas. Where building design for a remodeled establishment requires that the soil or drain pipes be located over those areas, pipes must be protected against leakage or condensation reaching the food or drink as described below. The installation must be made with the least possible number of joints and installed so as to connect to a vertical stack at the nearest wall or vertical building support, and the construction must be performed as follows:

- a. - c. *[As in NSPC]*
- d. All other soil or drainpipes must be (i) galvanized steel or (ii) cast iron with screwed joints sealed by an approved method or (iii) copper tubes with soldered joints. Cleanouts must be extended through the floor construction above.
- e. Drainpipes carrying acid or other corrosive waste products that require acid resistant pipe must be of thermoplastic material with joints sealed by solvent cementing or thermal bonding.
- f. Soil and drain pipes located above these areas must be subjected to a standing water test of not less than 25 feet.
- g. Piping subject to operation at temperatures that will form condensation on the exterior of the pipe must be thermally insulated.
- h. Where pipes are installed in ceilings above these areas, the ceiling must be of the removable type or provided with access panels, in order to provide ready access for inspection of piping.
- i. Instead of the above, the Administrative Authority may approve any other method that does not conflict with applicable health codes.

See [As in NSPC]

**CHAPTER 3
MATERIALS****3.1 MATERIALS****3.1.1 - 3.1.4 [As in NSPC]****3.1.5 Adoption of a Uniform Color Code {Per State Modification}**

- a. Materials used for plumbing must conform with the Utilization Location and Coordination Council for Uniform Color Code.
- b. All subsurface pipes must be permanently marked or completely colorized for easy identification as follows:
 1. Yellow - gas, oil, steam, petroleum, or gaseous materials.
 2. Blue - water.
 3. Green - sewer and drain lines.
 4. Lavender - reclaimed water.

3.2 SPECIAL MATERIALS

3.2.1 Copper and Brass *[As in NSPC]*

3.2.2 Lead *[As in NSPC]*

3.2.3 Plastic

- a. Trap and tailpiece fittings -- at least 0.062" (1.5 mm) wall thickness.
- b. Piping -- *see* specific application in §§ 3.4 to 3.11.
- c. Shower pans -- approved plastic sheeting material.
- d. SDR-35 plastic piping may not be used in underground sanitary storm and vent piping systems.

See [As in NSPC]

Note: *[As in NSPC]*

3.3 FITTINGS, FIXTURES, APPLIANCES & APPURTENANCES *[As in NSPC]*

3.4 POTABLE WATER PIPING

3.4.1 - 3.4.6 *[As in NSPC]*

Table 3.4 Materials for Potable Water
Copper Water Tube, Type M (ASTM B88) –
Not approved for underground water service piping.

3.5 TO 3.11 *[As in NSPC]*

3.12 ALTERNATE MATERIALS AND METHODS**3.12.1 - 3.12.5 [As in NSPC]****3.12.6 Fire Rating {Per State Modification}**

- a. All pipe penetrating a fire-rated wall or ceiling must meet the integrity of the wall or ceiling.
- b. Conformance to this requirement must be evidenced by a test report from a nationally recognized fire testing laboratory.

3.12.7 Special Design Plumbing Systems {Per State Modification}**a. General Requirements**

1. Special design plumbing systems include all systems that vary in detail from the requirements of this Code.
2. This section controls the design, installation, and inspection of special design plumbing systems.
3. Special design plumbing systems must conform to the basic principles of this Code.

b. Plans, Specifications, and Computations

Plans, specifications, computations, and other related data for special design plumbing systems must be submitted to the Administrative Authority for review and approval before installation.

c. Installation of Special Design Plumbing Systems

Special design plumbing systems must be installed according to established, tested, and approved criteria.

d. Certification of Compliance

The installation and performance of the special design plumbing system must be tested and certified by an approved independent agency as complying with § 3.12.7.a.3 and c above.

**CHAPTER 4
JOINTS AND CONNECTIONS****4.1 GENERAL REQUIREMENTS [As in NSPC]****4.2 TYPES OF JOINTS FOR PIPING MATERIALS [As in NSPC]**

4.3 TYPES OF JOINTS BETWEEN PIPING MATERIALS**4.3.1 - 4.3.7 [As in NSPC]****4.3.8 Special Joints and Coupling for Drainage Piping**

- a. *[As in NSPC]*
- b. Fittings and couplings for use under this section must either (1) comply with a standard listed in Table 3.1.3, (2) be listed or labeled by a recognized listing agency, or (3) if not so listed or labeled, be approved by the Administrative. Installation must comply with the coupling manufacturer's instructions and intended use. Ferenco couplings may only be used if specifically approved for use by the Administrative Authority for that installation.
- c. - f. *[As in NSPC]*

4.3.9 ABS or PVC Plastic DWV to Other Material [As in NSPC]**4.4 CONNECTIONS BETWEEN DRAINAGE PIPING AND CERTAIN FIXTURES [As in NSPC]****4.5 WATERPROOFING OF OPENINGS [As in NSPC]**

CHAPTER 5
TRAPS, CLEANOUTS, AND BACKWATER VALVES

5.1 SEPARATE TRAPS FOR EACH FIXTURE

Introductory Paragraph - *[As in NSPC]*

- a. *[As in NSPC]*
- b. *{Per State Modification}* A combination plumbing fixture may be installed on one trap if:
 - 1. the waste outlets are not more than 30 inches apart,
 - 2. one compartment is not more than 6 inches deeper than the other, and
 - 3. neither outlet is equipped with a food waste grinder.
- c. - d. *[As in NSPC]*

5.2 SIZE OF FIXTURE TRAPS [As in NSPC]

5.3 GENERAL REQUIREMENTS FOR TRAPS

5.3.1 Design of Traps

Fixture traps must be self-scouring and may have no interior partitions except where the traps are integral with the fixture or where corrosion-resistant materials of plastic or glass are used. Solid connections, slip joints, or couplings may be used on the trap inlet or within the trap seal. Only solid connections or couplings may be used on the trap outlet.

See [As in NSPC]

5.3.2 - 5.3.4 [As in NSPC]

5.3.5 Prohibited Traps

The following types of traps are prohibited:

a. - c. *[As in NSPC]*

d. Separate fixture traps that depend on interior partitions for their seal.

e. - f. *[As in NSPC]*

Hair interceptors, precious metal interceptors, and similar appurtenances are permitted as provided in other sections of this Code.

See [As in NSPC]

5.3.6 Trap Priming [As in NSPC]

5.4 DRAINAGE PIPE CLEANOUTS

5.4.1 - 5.4.3 [As in NSPC]

5.4.4 Cleanouts for Concealed Piping

Cleanouts for concealed piping must extend through and terminate flush with the finished wall or floor; or pits or chases may be left in the wall or floor, if they are of sufficient size to permit removal of the cleanout plug and proper cleaning of the system. Cleanouts are not permitted in ceiling spaces.

See [As in NSPC]

5.4.5 - 5.4.9 [As in NSPC]

5.4.10 Manholes for Large Pipes

a. - b. *[As in NSPC]*

- c. Manhole construction must comply with the Department of Public Work's "Book of Standards".

See [As in NSPC]

5.4.11 - 5.4.14 [As in NSPC]

5.5 BACKWATER VALVES [As in NSPC]

**CHAPTER 6
INTERCEPTORS**

6.1 INTERCEPTORS – GENERAL

6.1.1 - 6.1.7 [As in NSPC]

6.1.8 Discharge {Per State Modification, with local translation}

a. General

In a structure where a public sanitary sewer is available, the waste pipe from oil and sand interceptors must discharge:

1. into the public sanitary sewer, or
2. if necessary, as otherwise mandated by the Administrative Authority.

b. New Construction

1. (i) If a new structure is being constructed where public sanitary sewers are unavailable, the structure must be constructed:
 - a. without any floor drains, or
 - b. if drains are included, so as to ensure that each drain will flow into an approved sand interceptor that will drain into a 1,000 gallon or larger approved holding tank.
- (ii) Structures without floor drains must be maintained so as to minimize waste and prevent wastewater from leaving the shop area and discharging to the environment.
2. An oil and water separator is not required when the waste discharges into a holding tank.

c. Existing Structures

1. (i) If an existing structure is being renovated or enlarged where public sanitary sewers are unavailable, the structure must have:

- a. all existing floor drains permanently plugged, or
- b. all existing floor drains retrofitted so as to allow them to flow into an approved sand interceptor that drains into a 1,000-gallon or larger approved holding tank.

(ii) For structures in which the floor drains are plugged:

- a. the Maryland Department of the Environment, Ground Water Permits Program, must be notified before drain closure, and
- b. the structure must be maintained to minimize waste and prevent wastewater from leaving the shop area and discharging into the environment.

2. An oil and water separator is not required when the waste discharges into a holding tank.

d. Underground Tanks

If an underground tank is installed, it must be corrosion protected and designed according to COMAR 26.10.03.

e. On-site Subsurface Disposal

Any new construction of a structure or renovation of an existing structure that discharges liquid wastes as described in § 6.1.1 of this Code or that discharges other industrial waste waters must have the option of discharging into an on-site subsurface disposal system, providing the facility's owner/operator obtains from the Maryland Department of the Environment a water discharge permit issued under COMAR 26.08.01 through 26.08.04.

6.2 GREASE INTERCEPTORS (IF REQUIRED)

6.2.1 Prohibited Connections

Food-waste-grinders and commercial dishwashers may not discharge through a grease interceptor.

Exception: *{Not Adopted}*

See [As in NSPC]

6.2.2 - 6.2.7 [As in NSPC]

6.2.8 Commercial Buildings {Repealed from State Modifications}

6.3 OIL INTERCEPTORS (IF REQUIRED)

6.3.1 Where Required and Approved to Point of Discharge

a. - d. *[As in NSPC]*

- e. Where parking garages without vehicle-washing or floor-rinsing facilities require storm water drainage, drains may be connected to the storm sewer without a sand and oil interceptor. This drainage, including melting snow, ice, or rainwater runoff from vehicles, may not be connected to a sanitary sewer. Oil interceptors are not required in open parking garages.
- f. The waste-oil tank used with the oil interceptor may not be used to store or contain any other waste oil or hazardous fluid. Crankcase oil may not be dumped into or stored in this waste-oil tank. The installation of waste-oil storage tanks must comply with COMAR 26.10 ("Oil Pollution and Tank Management").

See [As in NSPC]

6.3.2 Design of Oil Interceptors

a - d. *[As in NSPC]*

- e. The oil draw-off or overflow from oil separators must be connected to an approved waste-oil tank that meets the environmental requirements of the Maryland Department of the Environment. The waste oil from the separator must flow by gravity or may be pumped to a higher elevation by an automatic pump. Pumps must be adequately sized, explosion proof, and accessible. Waste-oil tanks must have a 2" minimum pump-out connection and a 1½" minimum vent to the atmosphere.

f. - h. *[As in NSPC]*

See [As in NSPC]

6.3.3 Vapor Venting *[As in NSPC]*

6.3.4 Combination Oil and Sand Interceptor *[As in NSPC]*

6.4 SAND INTERCEPTORS (IF REQUIRED) *[As in NSPC]*

6.5 SPECIAL USE INSTALLATIONS *[As in NSPC]*

CHAPTER 7 PLUMBING FIXTURES, FIXTURE FITTINGS, AND PLUMBING APPLIANCES

7.1 FIXTURE STANDARDS *[As in NSPC]*

7.2 FIXTURES FOR ACCESSIBLE USE *[As in NSPC]*

7.3 INSTALLATION

7.3.1 - 7.3.8 *[As in NSPC]*

7.3.9 Water Closet and Urinal Compartments

Each water closet and urinal used by the public or by employees in a non-restricted use must occupy a separate compartment to assure privacy. Water closets must be located within compartments equipped with doors. Privacy partitions are acceptable between urinals.

Exception: A water closet compartment is not required in a single-occupant toilet room with a lockable door.

7.4 WATER CLOSETS

7.4.1 - 7.4.4 *[As in NSPC]*

7.4.5 Water Closet Seats

Seats for water closets must be made of smooth, non-absorbent materials and properly sized to fit the water closet bowl. Except in dwelling units, seats must comply with ANSI Z124.5. A closed front seat may be installed on an elongated bowl in a single-family residence.

See [As in NSPC]

7.4.6 Hotels, Motels, Dormitories, and Boarding Houses *[As in NSPC]*

7.4.7 Prohibited Water Closets *[As in NSPC]*

7.5 TO 7.9 *[As in NSPC]*

7.10 SHOWERS

7.10.1 - 7.10.6 *[As in NSPC]*

7.10.7 Water Supply Riser *[As in NSPC]*

Figure 7.10.7 Typical Shower Supply Riser

Delete the “alternative arrangement” from the first illustration.

7.10.8 Location of Valves and Shower Heads *[As in NSPC]*

7.11 TO 7.15 *[As in NSPC]*

7.16 FLOOR DRAINS

7.16.1 Compliance *[As in NSPC]*

7.16.2 Trap Seal and Strainer

a. *[As in NSPC]*

- b. Where infrequently used floor drains are subject to evaporation of their trap seals, they must be:
 - 1. fed from an automatic trap priming device, or
 - 2. arranged as otherwise approved by the Administrative Authority.
- c. Flushometer devices are prohibited from use as trap primers.

See [As in NSPC]

7.16.3 - 7.16.6 [As in NSPC]

7.17 TO 7.20 [As in NSPC]

7.21 MINIMUM NUMBER OF REQUIRED FIXTURES

7.21.1 -7.21.8 [As in NSPC]

7.21.9 Unisex Toilet Room {Per State Modification}

- a. In new construction for assembly and mercantile occupancies, an accessible unisex toilet may be provided where an aggregate of 6 or more male or female water closets are required. In buildings of mixed occupancy, those water closets required for the assembly or mercantile portions of the occupancy are used to determine the applicability of the unisex toilet room option. The inclusion of the 1 accessible unisex toilet room may replace both 1 male and 1 female toilet.
- b. Unisex toilet rooms must comply with this section and with the requirements for accessible toilet rooms in COMAR 05.02.02 (“Maryland Accessibility Code”).
- c. A unisex toilet room may contain only 1 water closet and only 1 lavatory.
- d. A unisex toilet room must be located on an accessible route. A unisex toilet room must be located not more than 1 story above or below separate-sex toilet rooms. The accessible route from any separate-sex toilet room to a unisex toilet room may not exceed 500 feet (152.4 m).
- e. Unisex toilet rooms must be identified by signs using the international symbol of accessibility. Directional signs must be provided at all separate-sex toilet rooms, indicating the location of the nearest unisex toilet room.

7.22 WATER TREATMENT SYSTEMS [As in NSPC]

7.23 SAFETY FEATURES FOR SPAS AND HOT TUBS [As in NSPC]

CHAPTER 8 HANGERS AND SUPPORTS

8.1 GENERAL

- a. - c. *[As in NSPC]*
- d. Flexible plastic and metal strap used for support or hangers must be installed so as not to allow vibration or undue movement of the plumbing fixtures, pipes, appliances, or equipment. Flexible strap may only be used with like materials and may not cause damage to the plumbing system. Flexible plastic or metal strap may not be used in any gas fitting installations.

8.2 TO 8.8 *[As in NSPC]*

CHAPTER 9 INDIRECT WASTE PIPING AND SPECIAL WASTES

9.1 INDIRECT WASTES

9.1.1 - 9.1.10 *[As in NSPC]*

9.1.11 Swimming Pools *[As in NSPC]*

9.1.11.1 Wading and Toddler Pools

All wading pools and toddler pools must be equipped with 2 drains from a single drain line so as not to create a vacuum if either of the drains is covered. The drainage must discharge indirectly through an air gap to a trapped and vented receptor.

9.2 INDIRECT WASTE PIPING *[As in NSPC]*

9.3 INDIRECT WASTE RECEPTORS *[As in NSPC]*

9.4 SPECIAL WASTES

9.4.1 Treatment of Corrosive Wastes *[As in NSPC]*

9.4.2 High Temperature Wastes *[As in NSPC]*

9.4.3 Air Conditioning Condensate

- a. - b. *[As in NSPC]*
- c. Discharge of air conditioning condensate may not be allowed to create a nuisance, such as by flowing across the ground or paved surfaces. Unless expressly prohibited by the Administrative Authority, the point of indirect discharge for air conditioning condensate must be one of the following:

1. the building storm drainage system,
2. the building sanitary drainage system, as approved by the Administrative Authority, or
3. a sump pump.

See [As in NSPC]

Figure 9.4.3b Examples of Air Conditioning Condensate -- Point of Discharge

Illustration a. To a Receptor, Service Sink, or Mop Sink

Illustration b. To a Sump Pump

Illustration c. [Not Adopted]

9.4.4 Refrigeration Waste

If needed, refrigeration waste pipes may not be smaller than as follows:

- a. 1¼ inch: 1 inch inlets serving not more than 100 cubic feet of refrigeration space.
- b. 2 inch: 4 to 12, 1¼ inch inlets or the equivalent refrigeration space.
- c. 3 inch: 13 to 36, 1¼ inch inlets or the equivalent refrigeration space.

CHAPTER 10 WATER SUPPLY AND DISTRIBUTION

10.1 QUALITY OF WATER SUPPLY [As in NSPC]

10.2 IDENTIFICATION OF POTABLE AND NON-POTABLE WATER [As in NSPC]

10.3 WATER REQUIRED

10.3.1 Buildings

Every building equipped with plumbing fixtures and used for human occupancy must be provided with a potable supply of cold water in the amounts and at the pressures specified in this Chapter. For permanent residences and for buildings in which people are employed, hot water must also be provided in the amounts and at the pressures specified in this Chapter.

10.4 PROTECTION OF POTABLE WATER SUPPLY

10.4.1 - 10.4.8 [As in NSPC]

10.4.9 Water Heaters Used for Space Heating *{Per State Modification}*

- a. The installation of any system or equipment using water heaters to provide heat must be performed by a person who is licensed to do the work in Maryland and who has obtained the necessary local permits for the installation.
- b. This section applies to:
 1. A combination heating system, which is installed as a unit and incorporates a water heater as an integral part of the system, to provide the primary heat source to the dwelling.
 2. Equipment that is sold as an add-on to an existing heating system for the purpose of providing supplemental heat and that is attached to a water heater containing water that might be expected to be later used as potable water.
- c. All installations must comply with the following:
 1. Combination water/space heating equipment, materials, and components must be suitable for use with potable water and listed for this use.
 2. Water heaters, piping, and components connected for a space heating application must be properly sized and installed according to manufacturer's instructions.
 3. Water heaters used in combination water/space heating systems must be listed as complying with American National Standard Z21.10.1, Z21.10.3, or UL732, as applicable.
 4. With every installation that uses a combination water/space heating system application to limit domestic hot water temperature for ordinary domestic use by individuals, a water temperature control valve must be installed.
 5. The installer must disinfect and certify the water system whenever required by the Administrative Authority under § 10.9 of this Code.
 6. The system must be equipped with a means for periodic circulation between the water heater and the exchanger during off seasons.
 7. An acceptable means must be provided to prevent thermal circulation through the exchanger during off seasons, except circulation necessary to comply with paragraph 6.
 8. A copy of the documentation that evidences compliance with the requirements of this subsection c must remain with the unit and be available for an inspector's review during inspections.
 9. An informational sheet that outlines all of the requirements of this subsection c must be provided for all devices subject to this section.

10.4.10 Prohibited Connections to Fixtures and Equipment *{Per State Modification}*

- a. For each of the following, connections to the potable water supply system must be protected against backflow:
 1. operating, dissection, embalming, and mortuary tables or similar equipment, for which installations, the hose used for water supply must terminate at least 12 inches from every point of the table or attachments,
 2. water closets equipped with flushometer valves or with flushing tanks with submerged float operated ball-cocks,
 3. seat-acting water closets,
 4. bed pan washers,
 5. bidets,
 6. sterilizers with water supply connections,
 7. therapeutic baths with inlets below the rim of the fixture,
 8. water operating waste ejectors, such as used by dentists, undertakers, and those who practice chronic irrigation,
 9. bathtubs with inlets below the rim of the fixture,
 10. wash basins with inlets below the rim of the fixture,
 11. bar, soda fountain, or other sinks with submerged inlets,
 12. laundry trays with faucets below the rim of the fixture,
 13. sinks with faucets or water inlets below the rim of the fixture and sinks with loose hose connections,
 14. dishwashing sinks or machines with inlets below the rim of the fixture,
 15. cuspidors with water supply connections,
 16. dental cuspidors with water supply connections,
 17. hospital appliances generally, such as sterilizers, condensers, filters, stills, pipette washers, aspirators, and washers,
 18. frostproof hydrants with underground bleed or automatic livestock watering devices,
 19. industrial vats, tanks, etc., of any description, that have (i) an inverted water supply connection, (ii) a water supply connection below the top of the spill rim, or (iii) a water supply connection in which a hose filler is used,

20. industrial water supplied process appliances with direct water connections,
 21. a rubber hose with hand control or self-closing faucets attached, as used in connection with baths, industrial vats, tanneries, etc.,
 22. pressure water supplied sealing rings on sewage or sludge pumps,
 23. water supply for priming connections,
 24. water supply (hot or cold) to laundry equipment,
 25. condenser cooling connections for refrigeration and air conditioning machinery,
 26. drains from fire sprinklers connected directly from sewers or wastes,
 27. steam tables,
 28. condensers,
 29. stills,
 30. aspirators,
 31. chlorinators,
 32. photographic developing tanks,
 33. laboratory water faucets and cocks with serrated nipples or hose connections, and
 34. any other fixture or installation creating a similar hazard.
- b. Fixture inlets or valved outlets with hose attachments that might constitute a cross connection must be protected by an approved vacuum breaker installed at least 6 inches above the highest point of usage and located on the discharge side of the last valve. Fixtures with integral vacuum breakers manufactured as a unit may be installed in accordance with their approval requirements.

10.4.11 Used Water Return *{Per State Modification}*

- a. Water used for cooling of equipment or other processes may not be returned to the potable water system.
- b. The water:
 1. must be discharged into a drainage system through an air gap, or
 2. may be used for nonpotable purposes on written approval of the Administrative Authority.

10.5 BACKFLOW PREVENTION**10.5.1 - 10.5.3** *[As in NSPC]***10.5.4 Approval of Devices**

No device for the prevention of backflow or back-siphonage may be installed unless it has been approved by the American Society of Sanitary Engineers.

10.5.5 Installation of Backflow Prevention Devices

a. - e. *[As in NSPC]*

- f. A person may not install backflow prevention devices in the City unless that person is licensed by the State as a master or journeyman plumber.

10.5.6 - 10.5.8 *[As in NSPC]***10.5.9 Protection from Fire Systems**

a.- d. *[As in NSPC]*

- e. For buildings that require 13D or 13R sprinkler systems and are not equipped with a flow alarm, non-testable ASSE approved backflow devices may be used.

See [As in NSPC]

10.5.10 - 10.5.13 *[As in NSPC]***10.5.14 High Hazard Buildings**

- a. Use Group H buildings must be provided with a reduced pressure backflow prevention device at the point of entry of any water service. A by-pass system must be provided to allow testing of the backflow device.
- b. At each floor where hazardous uses of water are found, a backflow prevention device must be installed on the water service line that supplies that floor.
- c. Any bypass piping must also have a backflow prevention device installed.

10.5.15 Backflow Prevention Devices on Hot Water Supply

When hot water return piping is needed, it must be taken from the supply side of the backflow prevention device.

10.5.16 Inspection Certificate

All inspections must be documented on a certificate attached to the backflow prevention device.

10.6 WATER SERVICE [As in NSPC]**10.7 WATER PUMPING AND STORAGE EQUIPMENT [As in NSPC]****10.8 WATER PRESSURE BOOSTER SYSTEMS****10.8.1 - 10.8.5 [As in NSPC]****10.8.6 Tank Drain Pipes [As in NSPC]****Table 10.8.6 Size of Drain Pipes for Water Tanks**

Tank Capacity (gallons)	Drain Pipe (inches)
up to 750	1
751 to 1500	1 ½
1501 to 3000	2
3001 to 5000	2 ½
5001 to 7500	3
over 7500	4

10.8.7 Low Pressure Cut-Off Required on Booster Pumps [As in NSPC]**10.8.8 Pressure Tanks – Vacuum Relief [As in NSPC]****10.8.9 Pressure Tanks – Pressure Relief [As in NSPC]****10.9 FLUSHING AND DISINFECTING POTABLE WATER SYSTEMS****10.9.1 Flushing**

The water service piping and distribution piping to all fixtures and outlets must be flushed until the water runs clear and free of debris and particles. Faucet aerators or screens must be removed during flushing operations. Disinfecting is mandatory for commercial and industrial installations.

10.9.2 Disinfecting [As in NSPC]**10.10 WATER SUPPLY MATERIALS**

See § 3.8. Galvanized water service pipe may not be used for a single-family dwelling.

10.10.1 Water Service Pipe

Copper tube when used underground may not be less than type L. All threaded ferrous pipe and fittings:

- a. must be galvanized or cement lined, and

b. when used underground in corrosive soil or filled ground:

1. must be coal-tar enamel coated or its equivalent, and
2. their threaded points must be coated and wrapped when installed.

10.11 ALLOWANCE FOR CHARACTER OF SOIL AND WATER *[As in NSPC]*

10.12 WATER SUPPLY CONTROL VALVES

10.12.1 - 10.12.9 *[As in NSPC]*

10.12.10 Individual Valves on Sprinkler Systems

Domestic water service lines used to supply water to both the sprinkler and the domestic water piping inside a building must have an individual valve on both branch lines when served by a single water service pipe. A building valve may not be used to serve both systems. A flow alarm must be provided on the sprinkler system.

Exception: This § 10.12.10 does not apply to single-family dwellings.

10.13 TO 10.15 *[As in NSPC]*

10.16 SAFETY DEVICES FOR PRESSURE VESSELS

10.16.1 - 10.16.5 *[As in NSPC]*

10.16.6 Relief Valve Discharge Piping

a – c. *[As in NSPC]*

- d. For new construction, an air gap must be provided where relief valves discharge into an indirect waste pipe, floor drain, trench drain, service sink, mop basin, laundry sink, standpipe, or other approved receptor. The minimum size of fixture drains or waste pipes that receive the discharge from relief valves is as indicated in Table 10.16.6.
- e. In existing construction, where relief valves discharge to the floor, the discharge pipe must terminate not more than 6 inches nor less than 2 inches above the floor.

f. - h. *[As in NSPC]*

- i. All water heaters, first floor or above, must have a pan with a drain to an approved drainage point, unless a variance is granted by the Administrative Authority.

See [As in NSPC]

10.16.7 Vacuum Relief Valves *[As in NSPC]*

10.16.8 Replacement of Relief Valves *[As in NSPC]***10.17 TO 10.19 *[As in NSPC]*****CHAPTER 11
SANITARY DRAINAGE SYSTEMS****11.1 MATERIALS *[As in NSPC]*****11.2 BUILDING SEWERS****11.2.1 - 11.2.3 *[As in NSPC]*****11.2.4 Building Sewer Size *{Per State Modification}***

The minimum size of the building sewer is 4 inches.

11.3 DRAINAGE PIPING INSTALLATION *[As in NSPC]***11.4 FIXTURE UNITS *[As in NSPC]*****11.5 DETERMINING SIZE OF THE DRAINAGE SYSTEM****11.5.1 - 11.5.4 *[As in NSPC]*****11.5.5 Minimum Size of Underground Drainage Piping**

No portion of the drainage system installed underground or below a slab may be less than 2" pipe size.

See [As in NSPC]

Table 11.5.5 Example of Minimum Size of Underground Drainage Piping

At end of bottom notation, delete “no less than 1¼” and substitute “no less than 2”.

11.5.6 Restrictions on Number of Water Closets on 3" Pipe Size *[As in NSPC]***11.5.7 Stack Size Reduction *[As in NSPC]*****11.6 TO 11.11 *[As in NSPC]*****CHAPTER 12
VENTS AND VENTING****12.1 TO 12.4 *[As in NSPC]***

12.5 FROST CLOSURE

Where frost closure is likely to occur, each vent extension through a roof must be at least 3" pipe size. If it is necessary to increase the size of the vent extension to meet this requirement, the change in size must be made inside the building at least 1 foot below the ceiling of the conditioned space with a fitting acceptable to the Administrative Authority.

See [As in NSPC]

12.6 TO 12.10 [As in NSPC]

12.11 STACK VENTING

12.11.1 Fixture Groups [As in NSPC]

12.11.2 Lower Floors [As in NSPC]

12.11.3 Maryland Additional Requirements {Per State Modification}

1. Stack venting may be used in any building that cannot have more than 3-story levels of plumbing fixtures.
2. Fixture unit loading capacities may not exceed one-half of the capacities listed in Table 11.5.1A and Table 11.5.1B.
3. Each trap arm must be individually connected into the stack or horizontal line, and the maximum length of the trap arm may not exceed 5 feet. Side inlet connections into a 4-inch closet band are accepted as individual connections.
4. Entrance fittings from a stack into a horizontal line must have the equivalent sweep and radius of two 45 degree fittings with 1 foot of pipe between the fittings, or the fittings must have a radius of 2 times the nominal pipe diameter. The vertical portion of the line must be completely outside the junction area that turns horizontal.
5. Entrance fittings into a stack or in a change of direction from horizontal to vertical or from one direction to another in the same plane must have a minimum radius of 1 pipe diameter of the upstream horizontal pipe.
6. When all plumbing fixtures can only be on 1 story level, the stack or horizontal drain may receive all of the permitted fixture unit capacity.
7. When the plumbing fixtures can be on 2 story levels, the maximum fixture unit load on each possible story level is one-half of the total permitted fixture unit capacity.
8. When the plumbing fixtures can be on 3 story levels, the maximum fixture unit load on each possible story level is one-third of the total permitted fixture unit capacity.
9. The minimum size building drain and extensions to the base of all stacks is 4 inches.

10. Offsets in stacks greater than a 45 degree angle are not permitted unless all piping from the start of the offset is increased 1 pipe size.
11. Fixtures for clothes washing and washing machines may be installed only on the lowest story level.
12. Fixtures other than another water closet may not be installed downstream from a water closet unless there is a 5-foot length of pipe without any fixture connections before the next fixture is connected.
13. All stacks must continue undiminished in size through the roof.
14. There may not be any fixtures connected within 5 feet downstream or 3 feet upstream from the junction of a vertical line with a horizontal line.
15. The fitting at the junction of a vertical line with a horizontal line must be full size of the horizontal line to the point where the line is 90 degrees from a horizontal plane.
16. In order to permit variations and effective use of other sections of this Code, additional venting may be permitted by the Administrative Authority. This venting may consist of venting the base of the stack, or other venting, into the building drain, at least 5 feet downstream or upstream from any other connection. Venting may also be permitted into a stack 5 feet downstream or upstream from any other connection.

12.12 TO 12.19 [As in NSPC]

**CHAPTER 13
STORM WATER DRAINAGE**

13.1 GENERAL

13.1.1 - 13.1.4 [As in NSPC]

13.1.5 Foundation Drains

- a. Foundation drains must be provided around the perimeter of basements, cellars, crawl spaces, or any building space below grade. The drains must be positioned either inside or outside of the footings and must be perforated or open-joint approved drain tile or pipe not less than 3" pipe size. The invert of foundation drains may not be less than 2 inches below the underside of the floor slab being protected. Exterior piping must be at least 30" below grade.

- b. - f. *[As in NSPC]*

See [As in NSPC]

13.1.6 - 13.1.9 [As in NSPC]

13.1.10 Roof Drainage**13.1.10.1 Primary Roof Drainage**

- a. Gutters, downspouts, and leaders must be provided on all buildings to properly collect, conduct, and discharge the water from their roof areas into a storm drain. The location and sizing of drains and gutters must be coordinated with the structural design and pitch of the roof.
- b. Unless otherwise required by the Administrative Authority, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage must be sized based on a storm of 60 minutes duration and 100-year return period. (*See Appendix A.*)
- c. No water from any building may be discharged so as to flow over any sidewalk, footway, or adjoining property, except from window sills, copings, or cornices that project no more than 1 foot (305 mm).

Exceptions:

1. Roofs, cornices, copings, or other similar projections that are less than 5 feet (3.03 m), measured horizontally in the line of flow, as long the water is not discharged on any sidewalk, footway, or adjoining property, or
2. Awnings or marquees that discharge off the outer edge.

13.1.10.2 Secondary Roof Drainage

1. *[As in NSPC]*
2. Where secondary drainage is provided by means of roof drains or standpipes, the secondary system must:
 - a. be separate from the primary system, and
 - b. either:
 1. discharge independently at grade, or
 2. tie into the primary system's vertical stacks at a location to be determined by the Administrative Authority.

3. - 5. *[As in NSPC]*

13.1.10.3 Vertical Walls *[As in NSPC]***13.1.10.4 Equivalent Systems *[As in NSPC]***

13.1.10.5 Methods of Roof Drainage

- a. Method 1: Drainage may be discharged by piping to a storm drain, to the street or alley, or to an approved water course. The installation of piping, connections to storm drains, etc., must be made in accordance with this Code.
- b. Method 2: Drainage may be discharged not less than 10 feet (3.05 m) from the building, from other buildings, or from any adjacent property line, as long as the discharge is in a manner that does not allow drainage to cross adjacent property lines or sidewalks.

13.1.10.6 Individual Downspouts

Gutters of buildings on adjoining properties may not be connected with common downspouts or leaders, but each building must have individual downspouts or leaders on its own property. If a building is more than 4 stories or 50 feet (15.24 m) high, its leader and downspouts must be inside the building's exterior walls.

13.1.11 Continuous Flow [As in NSPC]**13.1.12 Backwater Valves [As in NSPC]****13.2 TO 13.4 [As in NSPC]****13.5 ROOF DRAINS****13.5.1 - 13.5.4 [As in NSPC]****13.5.5 Roof Drain Restrictions**

To insure water flow into the drain, the roof drain opening may not be restricted by insertion of any roofing material or other objects. Roof drains must be trapped if they are located directly beneath any door, window, or other ventilating opening of the building or of an adjacent building.

13.6 SIZE OF LEADERS, GUTTERS AND STORM DRAIN PIPING [As in NSPC]**13.7 STORMCEPTORS**

- a. Stormceptors no longer may be installed.
- b. Existing stormceptors must be maintained and repaired according to the Department of Public Works' "Stormceptor's Technical Manual".

13.8 SIZING FOR CONTINUOUS OR INTERMITTENT FLOWS [As in NSPC]**13.9 CONTROLLED FLOW STORM WATER SYSTEM [As in NSPC]**

CHAPTER 14
SPECIAL REQUIREMENTS FOR HEALTH CARE FACILITIES
[As in NSPC]

CHAPTER 15
TESTS AND MAINTENANCE

15.1 EXPOSURE OF WORK *[As in NSPC]*

15.2 EQUIPMENT, MATERIAL AND LABOR FOR TESTS *[As in NSPC]*

15.3 TESTING OF PLUMBING SYSTEMS

15.3.1 General *[As in NSPC]*

15.3.2 Exceptions *[As in NSPC]*

15.3.3 Administration of Tests

All tests must be conducted in the presence of the Administrative Authority or representative.

15.3.4 Retesting

If the Administrative Authority finds that the work does not pass the test:

- a. the plumber must make all necessary corrections, and
- b. the work must then be resubmitted for test or inspection.

15.4 METHODS OF TESTING THE DRAINAGE AND VENT SYSTEMS *[As in NSPC]*

15.5 METHOD OF TESTING BUILDING SEWERS *[As in NSPC]*

15.6 METHODS OF TESTING WATER SUPPLY SYSTEMS

Introductory Paragraph - *[As in NSPC]*

a. - c. *[As in NSPC]*

- d. *{Per State Modification}* The Administrative Authority may resolve situations that create hardships or potential damage to the plumbing systems during testing.

15.6A METHODS OF TESTING INTERIOR LEADERS OR DOWNSPOUTS

The Administrative Authority may require leaders and downspouts and branches within a building to be tested by water or air in accordance with § 15.4.1.

15.7 DEFECTIVE PLUMBING [As in NSPC]**15.8 MAINTENANCE [As in NSPC]****CHAPTER 16****SEWAGE DISPOSAL AND CERTAIN WATER SYSTEMS FOR HOMES AND OTHER ESTABLISHMENTS
WHERE A PUBLIC SEWAGE SYSTEM IS NOT AVAILABLE
{Per State Modification}**

See COMAR 26.04.02

CHAPTER 17**POTABLE WATER SUPPLY SYSTEMS
[As in NSPC]****CHAPTER 18****MOBILE HOME AND TRAVEL TRAILER PARK PLUMBING STANDARDS****18.1 TO 18.3 [As in NSPC]****18.4 VENTING****18.4.1 Location [As in NSPC]****18.4.2 Wet Venting {Per State Modification}**

- a. The drainage system of a utility or other building may not discharge into a wet-vented line. A house sewer may not discharge into a wet-vented line.
- b. A house sewer or part of a house sewer may not function as a wet-vent.

18.4.3 - 18.4.10 [As in NSPC]**18.5 TO 18.10 [As in NSPC]****CHAPTER 19****INSTALLATION OF GAS APPLIANCES AND GAS PIPING
{Per State Modification}****19.1 REQUIREMENTS FOR INSTALLATION OF GAS APPLIANCES AND GAS PIPING**

- a. The requirements of the National Fuel Gas Code (1999 Edition) are adopted as the governing requirements for the installation of gas appliances and gas piping.

- b. However, this section may not be construed to prevent incorporated gas companies from making connections of gas appliances for domestic purposes.

CHAPTER 20
WATER SUPPLY AND SEWAGE SYSTEMS
IN THE SUBDIVISION OF LAND IN MARYLAND
{Per State Modification}

See COMAR 26.04.03

PART VII
INTERNATIONAL PROPERTY MAINTENANCE CODE

§ 7-101. City adoption.

(a) *In general.*

The International Property Maintenance Code (2000 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part VII.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part VII refer to the chapter and section numbers of the International Property Maintenance Code.

§ 7-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

CHAPTER 1
ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations constitute and are known as the “Property Maintenance Code of Baltimore City”.

101.2 -101.4 *[As in IPMC]*

SECTION 102 APPLICABILITY

102.1 General. *[As in IPMC]*

102.2 Maintenance. Equipment, systems, devices, and safeguards required by this Code or by a previous regulation or code under which the structure or premises was constructed, altered, or repaired must be maintained in good working order. The requirements of this Code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified, each owner and each operator of a structure or premises is responsible for the maintenance of that structure or premises.

102.3 Application of other codes. All repairs, additions, or alterations to a structure and all changes of occupancy must be done in accordance with this Code and with the following codes and standards, as modified by Baltimore City:

- a. the International Building Code (2000 Edition),
- b. the National Electrical Code (1999 Edition),

- c. the National Fuel Gas Code (1999 Edition),
 - d. the International Mechanical Code (2000 Edition),
 - e. the National Standard Plumbing Code (2000 Edition, 2001 Supplement),
 - f. the International Fire Code (2000 Edition),
 - g. the International Energy Conservation Code (2000 Edition), and
 - h. the Zoning Code of Baltimore City.
- (Ord. 04-672.)

102.4 Existing remedies. The provisions of this Code may not be construed to abolish or impair existing remedies of the City or its officers or agencies relating to:

- a. enforcement of repair and maintenance standards, or
- b. the removal or demolition of any structure that is dangerous, unsafe, and insanitary.

102.5 Workmanship. All repairs, maintenance work, alterations, or installations must be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. *[Not Adopted]*

102.7 - 102.8 *[As in IPMC]*

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

103.1 General. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

- a. "Department of Property Maintenance Inspection" or "Department" means the Department of Housing and Community Development, and
- b. "Code Official" means the Commissioner of Housing and Community Development or an authorized representative of the Commissioner.

103.2 Appointment. *[Not Adopted]*

103.3 Deputies. *[Not Adopted]*

103.4 Restriction of employees. *[Not Adopted]*

103.5 Liability. *[Not Adopted]*

103.6 Fees. The fees for work or repairs that require a building permit are as provided in the Baltimore City Building Code.

SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL

104.1 General. *[As in IPMC]*

104.2 Rulemaking authority. *[As in IPMC]*

104.3 Inspections. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

104.4 Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as provided by law, including § 104 of the Baltimore City Building Code.

104.5 Identification. *[As in IPMC]*

104.6 Notices and orders. The Code Official may issue all notices or orders necessary to ensure compliance with this Code.

104.7 Department records. The Code Official must keep records of all of the Department's business and activities specified in this Code.

104.8 Coordination of inspections. *[Not Adopted]*

104.9 Notice of abatement. When the recipient of a violation notice has abated the violation, the Code Official must issue a notice of abatement.

SECTION 105 APPROVAL

105.1 Modifications. *[As in IPMC]*

105.2 Alternative materials, methods, and equipment. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Code Official finds that the proposed design is satisfactory and complies with the intent of this Code and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

105.3 Required testing. *[As in IPMC]*

105.4 Material and equipment reuse. *[As in IPMC]*

SECTION 106 VIOLATIONS

106.1 Unlawful acts. It is unlawful for any person to be in conflict with or in violation of any provision of this Code or of any regulation, permit, or notice issued under this Code.

106.2 Notice of violation. Except as otherwise specifically authorized by law, the Code Official must serve a notice of violation or an order before undertaking a prosecution or other enforcement action.

106.3 Prosecution of violation. Any person who violates a provision of this Code or who fails to comply with a notice of violation or an order served in accordance with § 107 is guilty of a misdemeanor. If the violation is not abated or the notice or order not complied with, the Code Official may institute the appropriate proceeding at law or in equity to restrain, correct, or abate the violation or to require the removal or termination of the unlawful occupancy of the structure in violation of this Code or of the order or direction made under this Code.
(Ord. 04-672.)

106.4 Violation penalties. The criminal penalties for a violation of this Code are as provided for a violation of the Baltimore City Building Code.

106.5 Remedies and enforcement. The imposition of penalties under this section does not preclude the institution of appropriate action:

- a. to restrain, correct, or abate a violation,
- b. to prevent illegal occupancy of a structure or premises, or
- c. to stop an illegal act, conduct, business, or use of the structure or premises.

106.5.1 Building Code provisions. Additional remedies, civil penalties, and enforcement proceedings are as provided in §§ 113.3 and 113.5 of the Baltimore City Building Code.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to owner or person responsible. Whenever the Code Official determines or has grounds to believe that a violation of this Code has occurred, notice must be given to an owner or other person responsible for compliance with this Code.

107.2 Form of notice. Violation and condemnation notices must be in the form provided by § 123 of the Baltimore City Building Code.

107.3 Service of notice. Violation and condemnation notices must be served as provided by § 123 of the Baltimore City Building Code.

107.4 Responsibilities of owners, operators, and others. The responsibilities of owners, operators, and others are as follows:

- a. owners and operators: as provided in § 113.21 of the Baltimore City Building Code.

- b. officers, directors, trustees, partners, members, and agents of entities: as provided in § 113.24 of the Baltimore City Building Code.

107.5 Transfer of ownership. It is unlawful for the owner of any dwelling unit or structure who has received a compliance order or on whom a notice of violation has been served to sell, transfer, mortgage, lease, or otherwise dispose of the dwelling unit or structure until the provisions of the order or notice have been complied with or until the owner first furnishes the grantee, transferee, mortgagee, or lessee a true copy of any compliance order or notice of violation issued by the Code Official.

107.5.1 Acquisition on foreclosure. A mortgagee who buys in a property at a foreclosure sale or any other person who acquires title to or control of property through a foreclosure sale, takes the property subject to the violation notice and is responsible for compliance with this Code.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. Procedures for enforcement or other actions involving unsafe structures and equipment are as provided in the Baltimore City Building Code.

108.2 - 108.6 *[Not Adopted]*

SECTION 109 EMERGENCY MEASURES

109.1 General. Whenever necessary or appropriate, the Code Official may take emergency measures as provided in the Baltimore City Building Code.

109.2 - 109.6 *[Not Adopted]*

SECTION 110 DEMOLITION

110.1 General. The Code Official may order the rehabilitation, stabilization, or demolition of structures found to be unsafe or unfit for human habitation or other authorized use as provided in the Baltimore City Building Code.

110.2 - 110.4 *[Not Adopted]*

SECTION 111 ADMINISTRATIVE AND JUDICIAL REVIEW

111.1 General. A decision of the Code Official is subject to administrative and judicial review as provided in the Baltimore City Building Code.
(Ord. 04-672.)

111.2 -111.8 *[Not Adopted]*

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. *[As in IPMC]*

201.2 Interchangeability. *[As in IPMC]*

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in one or another of the standards and codes listed in § 102.3 of this Code, the term has the meaning given to it in that standard or code.

201.4 Terms not defined. *[As in IPMC]*

201.5 Parts. *[As in IPMC]*

SECTION 202 GENERAL DEFINITIONS

202.1 General. Except as provided in § 202.2, terms that are used and defined in the International Property Maintenance Code (2000 Edition) have the meanings given in the International Property Maintenance Code (2000 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Property Maintenance Code, the following terms have the meanings given in this § 202.2.

202.2.1 Alley. “Alley” means any public way that is less than 30 feet (9144 mm) wide and on which dwellings do not front.

202.2.2 Code Official. “Code Official” has the meaning stated in § 103.1 of this Code.

202.2.3 Condemn. “Condemn” means:

- a. to adjudge equipment or facilities as being unsafe for use, or
- b. to adjudge a structure as being unsafe or unfit for occupancy.

202.2.4 Dwelling unit. “Dwelling unit” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.5 May not, etc. “May not”, “must not”, and “no ... may” are each mandatory negative terms used to establish a prohibition.

202.2.6 Multiple-family dwelling. “Multiple-family dwelling” means a building or a group of buildings on the same lot that contains or is designed or intended to contain:

- a. more than 2 dwelling units,
- b. 2 dwelling units and any other occupancy, or

- c. any combination of 3 or more rooming units and dwelling units.

202.2.7 Must/shall. “Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

202.2.8 Occupancy. “Occupancy” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.9 Occupant. “Occupant” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.10 Operator. “Operator” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.11 Owner. “Owner” means any person that:

- a. has a legal or equitable interest in the property,
- b. is recorded in the land records as holding title to the property, or
- c. otherwise has control of the property, with or without accompanying possession of the property, including:
 - 1. a guardian of the person or estate of an owner,
 - 2. a trustee, including a trustee in bankruptcy, of an owner, or
 - 3. the personal representative of the estate of an owner.

202.2.12 Person. “Person” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.13 Premises. “Premises” means a lot or group of lots, together with all or any part of any structures on the lot or group of lots, considered as a unit devoted to a particular use, including accessory structures and open spaces required or used in connection with that particular use.

202.2.14 Rooming house. “Rooming house” means a building that:

- a. is not a multiple family dwelling, and
- b. contains more than 2 rooming units occupied or designed or intended to be occupied by individuals who, even though they might share common areas and facilities, do not form a single housekeeping unit and do not provide compensation under a single lease for occupancy of the rooming house.

202.2.14.1 Inclusions. “Rooming house” includes a hotel, motel, or boarding house.

202.2.15 Rooming unit. “Rooming unit” means any room or group of rooms that form a single habitable unit occupied or designed or intended to be occupied for sleeping or living, but not for cooking purposes.

202.2.16 Strict liability offense. “Strict liability offense” means an offense in which the prosecution in a legal proceeding is not required to prove knowledge or intent as a part of its case. It is enough to prove that the defendant either did an act that was prohibited or failed to do an act that the defendant was legally required to do.

202.2.17 Structure. “Structure” has the meaning stated in IPMC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.18 Trash. “Trash” means rubbish, as defined in IPMC § 202.

202.2.19 Workmanlike. “Workmanlike” means executed in a skilled manner in accordance with the standards of the trade – e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. This Chapter governs the minimum requirements and the responsibilities of persons for repair and maintenance of structures, equipment, and premises.

301.2 Responsibility.

301.2.1 Owners and operators. Except as otherwise specifically provided, the owner and the operator of any premises is responsible for maintaining all structures and exterior property areas in compliance with all requirements of this Chapter.

301.2.2 Occupants. The occupant of any premises:

- a. must give the owner and the owner’s agents access to the premises, at all reasonable times, for the purpose of inspecting and making repairs or alterations as necessary to effect compliance with this Code or with any lawful rule or regulation adopted or order issued under this Code,
- b. may not obstruct any required means of egress,
- c. may not store flammable liquids or gas or unsafe quantities of combustible materials,
- d. if in control of the heating facilities, must maintain a sufficiently high temperature in all parts of the unit to prevent damage to the plumbing system, and
- e. is responsible for:

1. keeping in a clean and sanitary condition the occupant's unit and any other part of the premises that the occupant occupies or controls, and
2. otherwise complying with the requirements specified in § 307 of this Chapter.

301.3 Vacant structures and land. All vacant structures and their premises and all vacant land must be maintained in a clean, sanitary, and safe condition, as provided in this Code.

301.4 Lead-based paint. Lead-paint hazards must be abated in accordance with the rules and regulations of the Maryland Department of the Environment and the Baltimore City Health Department.
(Ord. 04-672.)

301.4.1 Unoccupied dwelling unit — Scope. These provisions apply to any dwelling unit that:

- a. is the subject of a notice or order for the treatment of lead paint; and
- b. becomes unoccupied either:
 1. before the notice or order is served; or
 2. while the notice or order is still outstanding.

301.4.2 Unoccupied dwelling unit — Posting property. If a dwelling unit is or becomes unoccupied, the Health Commissioner immediately must post 1 or more public notices in, on, or around the dwelling unit stating that the dwelling unit may not be reoccupied until the lead paint notice or order has been abated.

301.4.3 Unoccupied dwelling unit — Reoccupancy prohibited. If a dwelling unit is or becomes unoccupied, the dwelling unit may not be reoccupied until:

- a. the lead paint notice or order has been abated; and
- b. the Health Commissioner has given written approval of reoccupancy.

301.4.4 Unoccupied dwelling unit — Removing notice, etc., prohibited. Until the Health Commissioner has given written approval of reoccupancy, no person may remove, deface, or otherwise tamper with any notice that has been posted under this section.

301.4.5 Unoccupied Dwelling Unit — Unauthorized reoccupancy. If a dwelling unit is reoccupied in violation of this section:

- a. each day that an unauthorized occupancy continues is a separate offense; and
- b. the owner and operator of the unit are subject to the following penalties:
 1. in a criminal prosecution, a criminal fine of up to \$1,000 for each offense; and
 2. in an action seeking equitable relief, a civil fine of up to \$1,000 for each offense.

SECTION 302 EXTERIOR PROPERTY AREAS *[Not Adopted]***SECTION 303 REPAIR AND MAINTENANCE OF STRUCTURES**

303.1 General. The interior and exterior of a structure must be maintained in good repair and in a structurally sound and sanitary condition.

303.2 Protective treatment. *[As in IPMC]*

303.3 Premises identification. *[Not Adopted]*

303.4 Structural members. All interior and exterior structural members must be:

- a. maintained in a structurally sound condition and free from deterioration, and
- b. capable of safely supporting the imposed dead and live loads.

303.5 Foundation walls. *[As in IPMC]*

303.6 Exterior walls. *[As in IPMC]*

303.7 Roofs and drainage. The roof and flashing must be sound, tight, and without defects that admit rain. Roof drainage must be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts must be provided and maintained in good repair and free from obstructions. Roof water must be discharged away from the foundation and may not be discharged in a manner that creates a public nuisance.

303.8 Decorative features. *[As in IPMC]*

303.9 Overhang extensions. *[As in IPMC]*

303.10 Stairways, floors, decks, etc. Every interior and exterior stairway, floor, deck, porch, and balcony, and all their appurtenances must be:

- a. structurally sound,
- b. properly anchored and capable of supporting the imposed loads, and
- c. maintained in good repair and safe condition.

303.11 Chimneys and towers. *[As in IPMC]*

303.12 Handrails and guards. *[As in IPMC]*

303.13 Window, skylight, and door frames. *[As in IPMC]*

303.14 Insect screens. *[Not Adopted]*

303.15 Doors.**303.15.1 General.**

- a. All doors, door assemblies, and hardware must be maintained in good condition.
- b. Except as otherwise required for means of egress doors, locks and latching hardware must be provided at all entrances to dwelling units and rooming units and must tightly secure the doors at those entrances.
- c. Doors must fit properly within their frames.
- d. Except for a building where the entrances are staffed by security personnel or where unobstructed access is provided to the entrance of each unit, in a building that contains 2 or more dwelling units, an electric doorbell must be provided for each dwelling unit in that building.

303.15.2 Interior. Every interior door must be capable of being opened and closed by being securely attached and properly equipped with properly functioning attachment and latching hardware.

303.16 Basement hatchways. [As in IPMC]**303.17 Guards for basement windows. [As in IPMC]****303.18 {Reserved}**

303.19 Interior surfaces. All interior surfaces, including floors, walls, ceilings, windows, and doors, must be maintained in good, clean, and sanitary condition. Peeling, chipping, flaking, or abraded paint must be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions must be corrected. Floors in kitchens, bathrooms, lavatories, toilet rooms, and laundry rooms must be kept impervious to water.

303.20 Grading and drainage. All premises must be graded and maintained to:

- a. drain away from the foundation of any structure and away from adjoining property,
- b. prevent the erosion of soil, and
- c. prevent the accumulation of stagnant water.

303.21 Sidewalks, driveways, etc. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas must be kept in good repair and free from hazardous conditions.

303.22 Exhaust vents. Pipes, ducts, conductors, fans, or blowers may not be allowed to discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly on any abutting or adjacent public or private property or on any property areas occupied by another in the same building.

303.23 Accessory structures. All accessory structures, including detached garages, fences, gates, walls, and swimming pools, must be maintained in a structurally sound condition and in good repair.

303.24 Defaced property. If an exterior surface of a structure has been defaced by carvings, markings, or graffiti, the surface must be restored to an approved state of maintenance and repair.

303.25 Nuisance or hazardous conditions. All premises must be kept free of any object, material, or condition that constitutes a nuisance or a fire, accident, or health hazard.

303.26 {Reserved}

303.27 Ratproofing. All buildings must be ratproofed and maintained in a ratproof condition by the owner or his agent. Ratproofing methods include:

- a. preventing entrance by blocking passages with rat-resistant material, and
- b. paving basements and any other areas that are in contact with the soil.

303.28 Equipment. All equipment required by the Building, Fire, and Related Codes of Baltimore City must be maintained in good working condition.

303.29 Fire protection. All required fire protection, including separation between nonresidential and residential occupancies, must be maintained in good repair. All fire doors must be equipped and maintained as required by the Fire Code of Baltimore City.

SECTION 304 EXTERIOR SANITARY MAINTENANCE – GENERAL

304.1 General. All lots and exterior premises, including abutting sidewalks, gutters, and alleys, must be maintained in a clean, safe, and sanitary condition.

304.2 Grass and weeds.

304.2.1 “Weeds” defined. In this section, “weeds” includes all plants and vegetation other than:

- a. trees or shrubs, or
- b. cultivated flowers and gardens.

304.2.2 Maintenance requirements. All premises and exterior property must be maintained free of grass, weeds, or plant growth in excess of 8 inches (203 mm). All noxious weeds are prohibited.

304.3 Trees and shrubbery. All trees and shrubbery that are dangerous to life and property, that create a fire or traffic hazard, or that encroach on adjacent property must be pruned or removed to eliminate the danger, hazard, or encroachment.

304.4 Pest control. All exterior property areas must be kept free from infestation by insects, rodents, and other pests, from rodent harborage, and from the conditions that attract pests. Where pests are found, they must be promptly exterminated by approved processes that will not be injurious to human health.

304.5 Motor vehicles. Except only as otherwise expressly authorized by law, the following rules apply to all motor vehicles.

- a. no motor vehicle may be parked, kept, or stored, whether or not covered, on any exterior premises if:
 1. it is inoperative, unregistered, or fails to display current registration tags, or
 2. it is in a state of disassembly or disrepair or in the process of being stripped or dismantled.
- b. A motor vehicle may be parked, kept, or stored only on a dustless all-weather surface constructed and maintained in accordance with the Building Code and Zoning Code of Baltimore City.
- c. Painting a motor vehicle is prohibited unless conducted inside an approved spray booth.

Exception: On premises with a proper use permit, a vehicle may undergo overhaul, including body work, if that work is performed inside a structure or similarly enclosed area designed and approved for that purpose.

304.6 Swimming pools. Swimming pools must be maintained in a clean, safe, and sanitary condition.

304.7 Outdoor storage. Outdoor storage must be neat and orderly. All stored objects and materials must be elevated at least 1 foot off the ground to prevent rat harborage, unless elevation is determined unnecessary by the commissioner.

304.7.1 Caveat. Nothing in this section authorizes any outdoor storage that is otherwise prohibited by law.

SECTION 305 EXTERIOR SANITARY MAINTENANCE – TRASH, GARBAGE, AND DEBRIS

305.1 Accumulation prohibited. All premises, including abutting sidewalks, gutters, and alleys, as well as the interior of every structure, must be kept free of any accumulation of trash, garbage, and debris, including any animal waste, construction material, equipment, furniture, appliances, and similar objects and materials.

305.2 Bulk trash. If discarded or abandoned articles are too large to be disposed of in required receptacles, they must be conveyed to an appropriate landfill or other approved disposal site.

305.3 No deposit on sidewalks, etc. No trash, garbage, or debris may be deposited on any sidewalk, alley, or street or on any public or private lot.

305.4 Storage receptacles – Required. Trash, garbage, or debris may not be stored or placed out for collection except in proper storage receptacles. A sufficient number of these storage receptacles must be provided, in a location accessible to occupants, to receive and store trash, garbage, and debris from individual units between days of collection.

305.5 Storage receptacles – Location. If, in the opinion of the Code Official, the exterior maintenance of storage receptacles is causing nuisance or blight, the Code Official may require that, between days of collection, the receptacles be stored:

- a. inside the building they serve , or
- b. in the discretion of the Code Official, within a contiguous structure.

305.6 Storage receptacles – Construction and maintenance. Each storage receptacle must be:

- a. made of metal or some other durable material approved by the Code Official,
- b. watertight, with tight-fitting covers and handles,
- c. maintained in good repair,
- d. kept tightly closed to prevent blight, nuisance, pest infestation, and dispersal of trash, garbage, or debris, and
- e. have a capacity of:
 1. not less than 3 gallons, and
 2. not more than:
 - (i) 10 gallons, if used for garbage only, or
 - (ii) 20 gallons, if used for mixed refuse, as defined in City Code Article 23, § 2-1.

305.7 Placement for collection. Storage receptacles:

- a. may not be placed out for collection on a sidewalk or along an alley earlier than the day of collection, and
- b. must be returned promptly to the premises after collection.

305.8 Owner transport. At any multi-unit building for which the City does not provide collection services, the owner and operator must collect and transport the building's trash, garbage, and debris to an appropriate landfill or other approved disposal site.

SECTION 306 INTERIOR SANITARY MAINTENANCE

306.1 General. The interior of each unit and the shared, common, or public areas within each building that contains more than one unit must be maintained in a clean and sanitary condition.

306.2 Floor, furniture, etc., surfaces. Floors, furniture, countertops, and similar surfaces must be clean and free of trash, garbage, and debris, including human and animal waste and any other insanitary matter or cause of nuisance.

306.3 Walls, ceilings, and openings. Walls, ceilings, windows, and doorways must be clean and free of dirt, grease, soot, and any other insanitary matter or cause of nuisance.

306.4 Trash, etc., receptacles. Each unit must have a sufficient number of interior receptacles to contain that unit's trash, garbage, and debris.

306.5 Plumbing fixtures. Plumbing fixtures must be kept clean and free from any foreign object or material that could obstruct a fixture or a line connected to a fixture.

306.6 {Reserved}

306.7 Pest control. The interior of every building must be kept free of infestation by insects, rodents, and other pests.

SECTION 307 OCCUPANTS' SANITARY RESPONSIBILITIES.

307.1 General. An occupant must keep in a clean and sanitary condition the occupant's unit and any other part of the premises that the occupant occupies or controls.

307.2 Exteriors. An occupant of a single-unit building and an occupant of a unit with exclusive use of an exterior property area must maintain the exterior areas, including abutting sidewalks, gutters, and alleys, in compliance with §§ 304 and 305 of this Chapter.

307.3 Interiors. Except as otherwise specified in § 307.5, an occupant must maintain the interior of the occupant's unit and any other part of the building that the occupant occupies or controls in compliance with § 306 of this Chapter.

307.4 Pest control – Single-unit building. An occupant of a single-unit building is responsible for extermination of insects, rodents, or other pests, other than wood-destroying insects.

307.5 Pest control – Multi-unit building. An occupant of a multi-unit building is responsible for extermination if the occupant's unit is the only one affected.

307.6 Trash disposal. An occupant may dispose of trash, garbage, and debris only in compliance with § 305 of this Chapter.

307.7 Trash receptacles for single-unit building. An occupant of a single-unit building must provide and maintain the storage receptacles required by § 305 of this Chapter.

307.8 Nuisances. An occupant may not create or maintain, in or on the property that the occupant occupies and controls, any condition that constitutes a nuisance.

CHAPTER 4 LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS

SECTION 401 GENERAL

401.1 Scope. *[As in IPMC]*

401.2 Responsibility. The owner and the operator of a structure must provide and maintain light, ventilation, and space conditions in compliance with these requirements.

401.3 Alternative devices. *[As in IPMC]*

SECTION 402 LIGHT

402.1 Habitable spaces. Every habitable space must have at least 1 window facing directly to the outdoors or to an open court whose facing wall is at least 3 feet (914 mm) away. The minimum total glazed area for every habitable space must be 10% of the floor area of that space.

Exception: Natural light for habitable spaces may be provided through an adjoining room if:

1. the unobstructed opening to the adjoining room is at least 8% of the floor area of the interior space, and
2. The glazed area providing natural light is at least 8% of the combined total floor area being served.

402. 2 Common halls and stairways. *[As in IPMC]*

402.3 Other spaces. *[As in IPMC]*

SECTION 403 VENTILATION

403.1 Habitable spaces, bathrooms, and toilet rooms. Every habitable space, bathroom, and toilet room must have at least 1 openable window. The total openable area of the window must be equal to at least 4% of the floor area.

Exceptions:

1. Habitable spaces without openings to the outdoors may be ventilated through an adjoining room if:
 - a. the unobstructed opening to the adjoining room is at least 8% of the floor area of the interior space, and
 - b. the total openable area of the ventilating window is at least 4% of the combined total floor area being ventilated.

2. For a habitable space, bathroom, or toilet room where a window that opens directly to the outside cannot be provided, a ventilating skylight is permitted.
3. In a blind kitchen, bathroom, or toilet room, mechanical ventilation that discharges air to the outdoors is permitted.

403.2 Bathrooms and toilet rooms. *[Not Adopted]*

403.3 Cooking facilities. *[As in IPMC]*

403.4 Process ventilation. *[As in IPMC]*

403.5 Clothes dryer exhaust. *[As in IPMC]*

SECTION 404 OCCUPANCY LIMITATIONS

404.1 Privacy. Dwelling units and rooming units must:

- a. be arranged to provide privacy,
- b. be separate from adjoining units and common areas, and
- c. have a separate means of access from a hallway, landing, stairway, or street.

404.2 Minimum room size. A habitable room, other than a kitchen, may not be less than 7 feet (2134 mm) in any plane dimension.

404.2.1 Kitchens. A kitchen must contain at least 30 sq. ft (2.8 sq. m.) of floor area, and, if arranged as a corridor the corridor between counter fronts or between a wall and counter fronts must be at least 3 feet (914 mm).

404.3 Minimum ceiling heights. Habitable spaces hallways, corridors, laundry areas, and bathrooms must have a clear ceiling height of not less than 7 feet (2134 mm) over at least 50% of the floor area. Toilet rooms must have a ceiling height of not less than 6½ feet (1981 mm) over at least 50% of the floor area

Exceptions:

1. *[Not Adopted]*
2. Basement rooms that otherwise meet the requirements of this § 404.3 may have a clear height of not less than 6 feet (1829 mm) under beams, girders, ducts, and similar obstructions.
3. Rooms occupied exclusively for sleeping, study, or similar purposes and having a sloped ceiling over all or part of the room may have a clear ceiling height of not less than 7 feet (2134 mm) over not less than 33⅓% of the required minimum floor area.

4. As allowed by regulations of the Code Official.

404.3.1 Floor area calculations. In calculating floor area for purposes of this § 404.3, only those portions of the floor area with a clear height of 5 feet (1524 mm) or more may be included.

404.4 Bedroom requirements. *[As in IPMC]*

404.4.1 Area for sleeping purposes. *[As in IPMC]*

404.4.2 Bedroom access. *[As in IPMC]*

404.4.3 Water closet accessibility. *[As in IPMC]*

404.4.4 Prohibited occupancy. *[As in IPMC]*

404.4.5 Other requirements. *[As in IPMC]*

404.5 Overcrowding. *[Not Adopted]*

404.6 Efficiency unit. *[Not Adopted]*

404.7 Food preparation. A dwelling unit must contain a room or space for the storage, preparation, and cooking of food, including a sink and space and connections for a stove and refrigerator.

404.8 Closets. A dwelling unit must contain at least 1 closet, for storing clothing and other articles, with a floor area of not less than 6 sq. ft. (0.6 sq. m.). A dwelling unit with more than 1 bedroom must contain at least 1 additional closet of the same minimum size.

Exception: This section does not apply to an owner-occupied single family dwelling.

404.9 Minimum dwelling unit size. A dwelling unit must contain at least 240 sq. ft. (22.3 sq. m.) of clear floor area. At least 1 room must have not less than 120 sq. ft. (11.2 sq. m.) of floor area, with its least plane dimension not less than 8 feet (2438 mm).

CHAPTER 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION 501 GENERAL

501.1 Scope. *[As in IPMC]*

501.2 Responsibility. The owner and the operator of a structure must provide and maintain plumbing facilities and plumbing fixtures in compliance with these requirements.

SECTION 502 REQUIRED FACILITIES *[As in IPMC]*

SECTION 503 TOILET ROOMS AND BATHROOMS

503.1 Privacy. Toilet rooms and bathrooms must provide privacy and may not constitute the only means of access to a dwelling unit or to a habitable space or hall within a dwelling unit. A door with interior locking device must be provided.

503.2 Location. *[As in IPMC]*

503.3 Location of employee toilet facilities. *[As in IPMC]*

SECTION 504 PLUMBING SYSTEMS AND FIXTURES

504.1 General. *[As in IPMC]*

504.2 Fixture clearances. *[As in IPMC]*

504.3 Plumbing system defects. Inadequate service, inadequate venting, cross-contamination, back-siphonage, improper installation, deterioration, damage, and similar defects in a plumbing system must be corrected.

SECTION 505 WATER SYSTEMS

505.1 General. Every sink, lavatory, bathtub, shower, drinking fountain, water closet, or other plumbing fixture must be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs, and showers must be supplied with hot and cold running water in accordance with the National Standard Plumbing Code.

505.2 - 505.3 *[As in IPMC]*

505.4 Water heating facilities. Every dwelling unit must have water heating facilities that are:

- a. properly installed and maintained,
- b. properly connected to every required sink, lavatory basin, bathtub, shower, and laundry facility,
- c. properly equipped with an approved combination temperature and pressure-relief valve and with a relief-valve discharge pipe,
- d. capable of automatically heating water to a temperature of not less than 120° F (49° C), and
- e. capable of meeting normal demands at every required outlet.

505.4.1 Venting gas-fired heater. A gas-fired hot water heater must be vented to the outside air.

SECTION 506 SANITARY DRAINAGE SYSTEM *[As in IPMC]***SECTION 507 STORM DRAINAGE**

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises may not be discharged in a manner that violates either:

- a. the drainage requirements of the Baltimore City Building Code, or
- b. the stormwater management requirements of the City Code.
- c.

**CHAPTER 6
MECHANICAL AND ELECTRICAL REQUIREMENTS**

SECTION 601 GENERAL

601.1 Scope. *[As in IPMC]*

601.2 Responsibility. The owner and the operator of a structure must provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements.

SECTION 602 HEATING FACILITIES

602.1 Facilities required. *[As in IPMC]*

602.2 Residential occupancies. Dwellings must be provided with properly installed and maintained heating facilities capable of maintaining a room temperature of 70° F (21° C) in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances may not be used to provide space heating to meet the requirements of this section.

602.3 Heat supply. Every owner and operator who rents, leases, or lets one or more dwelling units, rooming units, dormitory or guest rooms on terms, either expressed or implied, to furnish heat to the occupants must supply heat during the period of October 1 through April 30, inclusive, so as to maintain the following temperatures:

- a. between midnight and 5 a.m., an average of:
 1. 65° F (18° C) throughout all habitable rooms, bathrooms, and toilet rooms, and
 2. no less than 60° F (15° C) in any one of these rooms, and
- b. at all other times, an average of:
 1. 70° F (21° C) throughout all habitable rooms, bathrooms, and toilet rooms, and
 2. no less than 65° F (18° C) in any one of these rooms.

Exception: *[Not Adopted]*

602.4 Occupiable work spaces. Indoor occupiable work spaces must be supplied with heat during the period of October 15 through April 15, inclusive, so as to maintain a temperature of not less than 65° F (18° C) during the period the spaces are occupied.

Exceptions: *[As in IPMC]*

602.5 Room temperature measurement. *[As in IPMC]*

602.6 Central heating units. A central heating unit must be:

- a. properly installed and maintained,
- b. if fuel-burning, properly connected to an approved chimney or vent,
- c. if electrically powered, properly connected to an electric circuit of adequate power,
- d. if a hot-air type, equipped with proper seals between sections of the furnace to prevent fumes from escaping into heat ducts,
- e. provided with all safety devices required by law, and
- f. connected to ducts, pipes, or tubes that are free from leaks and obstructions.

602.7 Space-heating units. A space-heating unit:

- a. may not use gasoline or any similar highly flammable liquid fuel,

Exception: A kerosene space heater with fuel piped from an approved tank.

- b. if fuel-burning, may not be a portable unit,
- c. if fuel-burning, must be properly connected to an approved flue or vent,

Exception: Ornamental gas logs are permitted in a dwelling with a proper heating system if located in a vented fireplace and not in a room used for sleeping.

- d. must be located to prevent and protect against overheating adjacent combustible material,
- e. if using electricity, must be properly connected to an electric circuit of adequate power,
- f. must be provided with all automatic and safety devices required by law,
- g. may only be installed under a permit, and
- h. must be properly operated.

SECTION 603 MECHANICAL EQUIPMENT

603.1 General. All mechanical equipment provided must be properly installed and maintained in a safe condition. In addition, all required mechanical equipment must be maintained in a safe working condition and must be capable of performing its intended function.

603.2 - 603.6 *[As in IPMC]*

SECTION 604 ELECTRICAL FACILITIES

604.1 Facilities required. *[As in IPMC]*

604.2 Service. The size and usage of appliances and equipment serves as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units must be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

604.3 Electrical system defects. Inadequate service, improper fusing, insufficient receptacle or lighting outlets, improper wiring or installation, deterioration, damage, and similar defects in an electrical system must be corrected.

SECTION 605 ELECTRICAL EQUIPMENT

605.1 Installation. *[As in IPMC]*

605.2 Receptacles. Every habitable space in a dwelling must contain at least 2 separate and remote duplex outlets. Every kitchen area must contain additional outlets, connected to an appropriate circuit, for a stove and for a refrigerator. Every laundry area must contain at least 1 grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom must contain at least 1 dual-receptacle. Any new bathroom receptacle outlet must have ground fault circuit interrupter protection.

605.3 Lighting fixtures. *[As in IPMC]*

605.4 Halls and stairs. In a multiple-family dwelling, every common hallway and stairway must be adequately lighted at all times with at least 3 foot candles of light at the floor or stair tread level. Other dwellings must have facilities sufficient to provide this level of illumination and be equipped with conveniently located light switches to turn the facilities on and off as needed.

SECTION 606 ELEVATORS, ESCALATORS, AND DUMBWAITERS *[As in IPMC]***SECTION 607 DUCT SYSTEMS** *[As in IPMC]*

CHAPTER 7 FIRE SAFETY REQUIREMENTS

SECTION 701 GENERAL

701.1 Scope. *[As in IPMC]*

701.2 Responsibility. Except as provided in § 704, the owner and operator of the premises must provide and maintain fire safety facilities and equipment in compliance with these requirements.

SECTION 702 MEANS OF EGRESS *[As in IPMC]*

SECTION 703 FIRE-RESISTANCE RATINGS

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating must be maintained for all fire-resistance-rated walls, fire stops, occupancy separations, shaft enclosures, furnace room enclosures, stairwell enclosures, partitions, and floors.

703.2 Opening protectives. Required opening protectives must be maintained in an operative condition.

703.2.1 Fire and smokestop doors. All fire and smokestop doors:

- a. must be maintained in an operative condition,
- b. may not be blocked, obstructed, or otherwise made inoperable, and
- c. must be equipped with approved self-closing devices.

SECTION 704 FIRE PROTECTION SYSTEMS

704.1 General. Fire alarm and detections systems must comply with the requirements of Fire Code § 907.
(Ord. 04-672.)

704.2 - 704.3 *[Not Adopted]*

CHAPTER 8 REFERENCED STANDARDS

SECTION 801 GENERAL

801.1 Scope. This Chapter 8 lists the standards that are referred to in various sections of this Code. The standards are listed by the promulgating entity, the standard identification, the effective date and title, and the section(s) of this Code that refer to the standard. The application of these standards is as specified in § 102.7 of this Code.

801.2 City modifications. The following substitutions should be made in the standards listed:

1. For ICC Electrical Code,
substitute **National Electrical Code (1999 Edition)**.
2. For International Fuel Gas Code,
substitute **National Fuel Gas Code (1999 Edition)**.
3. For International Plumbing Code,
substitute **National Standard Plumbing Code (2000 Edition, 2001 Supplement)**.
(*Ord. 04-672.*)

**PART VIII
INTERNATIONAL FIRE CODE**

§ 8-101. City adoption.

(a) *In general.*

The International Fire Code (2000 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part VIII.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part VIII refer to the chapter and section numbers of the International Fire Code.

§ 8-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

**CHAPTER 1
ADMINISTRATION**

SECTION 101 GENERAL

101.1 Title. These regulations constitute and are known as the “Fire Code of Baltimore City”.

101.1.1 References to “this Code”. All references to “this Code” refer to the Fire Code of Baltimore City.

101.2 Scope. *[As in IFC]*

101.2.1 Appendices Adopted. The following appendices to the International Fire Code are adopted as part of this Code:

- a. Appendix B: “Fire-Flow Requirements for Building”.
- b. Appendix D: “Fire Apparatus Access Roads”.
- c. Appendix E: “Hazard Categories”.
- d. Appendix F: “Hazard Ranking”.
- e. Appendix G: “Cryogenic Fluids — Weight and Volume Equivalents”.

101.2.2 Appendices Not Adopted. The following appendices to the International Fire Code are not adopted as part of this Code:

- a. Appendix A: “Board of Appeals”.

- b. Appendix C: “Fire Hydrant Locations and Distribution”.

101.3 - 101.5 *[As in IFC]*

SECTION 102 APPLICABILITY

102.1 - 102.4 *[As in IFC]*

102.5 Historic buildings. *[Not Adopted]*

102.6 Referenced codes and standards. *[As in IFC]*

102.6.1 Most recent standard. Where a newer version of a standard listed in Chapter 45 exists, the Code Official may use the newer version of that standard unless it creates an incompatibility with this Code or with the Building Code of Baltimore City.

102.7 - 102.9 *[As in IFC]*

SECTION 103 DEPARTMENT OF FIRE PREVENTION *[Not Adopted]*

SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

104.1 General. *[As in IFC]*

104.1.1 Legal enforcement. The Code Official may institute or cause to be instituted, at any time, any and all legal, equitable, or criminal actions or proceedings necessary or appropriate to enforce this Code. Nothing in this Code prevents the Code Official from instituting or causing to be instituted and fully prosecuting any and all legal or equitable proceedings of any kind necessary or appropriate to compel compliance with this Code, even if criminal proceedings are pending or have been completed.

104.2 - 104.9 *[As in IFC]*

104.10 Fire investigations. *[As in IFC]*

104.10.1 Fire Investigation Bureau; Fire Marshal. The Fire Investigation Bureau is continued in the Fire Department. The Bureau consists of members assigned to it by the Chief of the Fire Department. The head of the Bureau is the Fire Marshal of Baltimore City, to be designated by the Chief. The Chief may also designate one or more officers or officials to serve in the absence of the Fire Marshal.

104.10.2 General duties. The Fire Investigation Bureau investigates fires and related incidents in Baltimore City. The Bureau must keep a complete record of these fires and related incidents, including their cause and origin, and a complete record of its investigations. The Assistant Chief or his or her designee is the custodian of all records of investigations. In addition to the duties specified in this section, the Bureau performs all other duties assigned to it by law or by the Chief of the Fire Department.

104.10.3 Charge of evidence. In investigating a fire or related incident, the Bureau must take charge immediately of the physical evidence and, to preserve that evidence, take measures to prevent access by any person to the structure or premises until the evidence has been properly processed.

104.10.3.1 Cooperation with other agencies. The Bureau must notify the persons designated by law to pursue investigations, cooperate with authorities in collecting evidence and in prosecuting offenders, and pursue the investigation to its conclusion.

104.10.3.2 Assistance from other agencies. Police and other enforcement agencies are authorized to render assistance in the investigation of fires when requested to do so.

104.10.4 Authority of Fire Marshal. The Fire Marshal has general supervision and control of all fire investigations in the City and of all inquiries to determine their cause and origin, both for the purpose of eliminating that cause and, if arson or incendiaries is suspected, to ascertain the persons responsible.

104.10.5 Penalty for obstructing investigation. Any person who prevents or obstructs or attempts to prevent or obstruct an investigation is guilty of a misdemeanor and, on conviction, is subject to the penalties specified § 109 of this Code.

104.10.6 Subpoena of witness and documents. In conducting an investigation, the Fire Marshal may subpoena and compel attendance of any person and the production of any documents that, in the judgment of the Fire Marshal, are connected with and necessary to the investigation, and have that person examined on oath or affirmation at the time and place specified in the subpoena. Officers of the Baltimore Police Department may serve the subpoena.

104.10.7 Enforcement of subpoena. If a person is served with a subpoena and fails to attend and testify, or fails on examination to answer any question, or otherwise fails to comply with the subpoena, the Fire Marshal may apply to a judge of the Circuit Court of Baltimore City to order compliance to the subpoena. If the judge orders compliance, the Fire Marshal must so notify the person named in the subpoena and fix the time and place for his or her further examination. If the person still fails to comply, the person may be arrested and charged with contempt.

104.10.8 Administration of oaths. The Fire Marshal may administer oaths or affirmations. Any false testimony given under oath or affirmation administered by the Fire Marshal, if material and made willfully, is punishable as perjury.

104.10.9 Submission to State's Attorney. If gross negligence, arson, or incendiaries is reasonably evident in a case, the Fire Marshal must submit all of the Bureau's records on the case to the State's Attorney of Baltimore City.

104.11 Authority at fires and other emergencies. *[As in IFC]*

104.12 Fees for non-fire suppression services. The Director of Finance must establish and annually review a fee schedule for non-fire suppression services performed by the Fire Department. The Director of Finance must base these fees on the expense incurred by the Fire Department in performing non-fire suppression services.

SECTION 105 PERMITS**105.1 General. *[As in IFC]***

105.1.1 Permits required. Permits must be obtained from the Code Official as required by this Code or in the Code Official's Fire Prevention Permit Schedule. Permit fees, if any, must be paid before the permit is issued. An issued permit must be kept on the premises designated in that permit at all times and must be readily available for inspection by the Code Official.

105.1.2 Types of permits. *[As in IFC]***105.1.3 Permits for the same location. *[As in IFC]***

105.1.4 Setting fees. The Director of Finance must establish and annually review the fees charged for permits under this Code. The Director of Finance must base these fees on the expenses incurred by the Fire Prevention Bureau in processing permit applications and in conducting inspections.

105.2 Application. *[As in IFC]***105.3 Conditions of a permit. *[As in IFC]*****105.3.1 - 105.3.7 *[As in IFC]***

105.3.8 Violation of permit. Failure to comply with any term or condition of any permit issued under this Code constitutes a violation of this Code and subjects the violator to the penalties prescribed in § 109 of this Code.

105.4 Construction documents. *[As in IFC]***105.5 Revocation. *[As in IFC]*****105.6 Required operational permits. *[As in IFC]*****105.6.1 - 105.6.15 *[As in IFC]*****105.6.16 Fire hydrants and valves. *[Not Adopted]*****105.6.17 - 105.6.46 *[As in IFC]*****105.7 Required construction permits. *[As in IFC]*****SECTION 106 INSPECTIONS****106.1 Inspection authority. *[As in IFC]*****106.2 Inspections. *[As in IFC]*****106.3 Concealed work. *[As in IFC]***

106.4 Right of entry. Whenever necessary to enforce this Code or whenever the Code Official has reasonable cause to believe that, in any structure or on an premises, a condition exists that makes the structure or premises unsafe, the Code official may enter to inspect the structure or premises or to perform any duty imposed on the Code Official by this Code.

106.4.1 Occupied premises. If the structure or premises is occupied, the Code Official must first present proper credentials and request entry. If entry is refused, the Code Official has the same authority to secure a search warrant as that vested in the Building Official by § 104.6 of the Baltimore City Building Code.

SECTION 107 MAINTENANCE *[As in IFC]*

SECTION 108 APPEALS

108.1 Appeals to Board of Fire Commissioners. Any person who is aggrieved by any notice, decision, order, or determination of the Code Official may appeal in writing to the Board of Fire Commissioners. The appeal must be filed with the Board within 30 days after the notice, decision, order, or determination is served.

108.2 Affect of appeal. An appeal filed within 5 days of service stays all proceedings on the notice, decision, order, or determination appealed from. An appeal filed later does not stay any proceedings; however, on application of the person taking the appeal and notice to the Code Official, the Board may grant a restraining order for good cause shown.

108.3 Hearing. Within 10 days after the appeal is filed, the Board must grant a hearing to the appellant. All interested parties have a right to be heard at the hearing.

108.4 Board decision. Within 10 days after the hearing concludes, the Board must render its decision. In its decision, the Board may reverse, affirm, or modify the notice, decision, order, or regulation appealed from and may give or make any other notice, decision, order, requirement, or determination that ought to be made under the circumstances. To that end, the Board has all the powers that are conferred on the Code Official by this Code. However, the Board does not have any authority to waive, set aside, or in any way change any specific provision of this Code.

108.5 Appeals from Board. A party aggrieved by a Board decision made under § 108.4 may seek judicial review of that decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure. A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure. A judicial review or appeal does not stay any criminal or equitable proceedings on the decision appealed from, nor does it prevent the Code Official or any other City official from pursuing any other action or enforcement procedure authorized by law.

(Ord. 04-672.)

108.6 Limitations on instituting proceedings. After a notice, decision, order, or determination has been served, the Code Official may not take any action or institute or cause to be instituted any civil or criminal proceedings in connection with the enforcement of the notice, decision, order, or determination until:

- a. after 5 days has passed without an appeal having been taken, or

- b. if an appeal was taken within that period, after the Board renders its decision in the case.

SECTION 109 VIOLATIONS

109.1 Unlawful acts. [As in IFC]

109.2 Notice of violation. [As in IFC]

109.2.1 - 109.2.4 [As in IFC]

109.2.5 Code compliance required at all times. Neither this section nor any other provision of this Code excuses any person from fully complying with all provisions of this Code at all times, regardless of whether notice has been issued by the Code Official in any particular case.

109.3 Penalty for violations. Any person who violates or fails to comply with any provision of this Code or of any notice, decision, permit, or regulation issued under this Code or who erects, installs, alters, repairs, or does work in violation of approved construction documents or of a directive of the Code Official is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 or imprisoned for not more than 10 days or both. Each day that a violation continues after service of notice is a separate offense.

109.3.1 Abatement of violation. [As in IFC]

109.4 Failure to correct violations. If a violation notice is not complied with within the time specified, the Code Official may do any one or more of the following:

- a. take action under § 109.6,
- b. request the State's Attorney or the City Solicitor to institute appropriate legal proceedings to restrain, correct, or abate the violation or to require removal or termination of the unlawful use of the structure or premises in violation of this Code, or of any order or direction made under this Code, or
- c. if the violation affects the immediate safety of the public, request the Baltimore Police Department to arrest those responsible for the violation.

109.5 Violation of notices, etc. — Constitute violation of Code. Every person must fully comply with all provisions of this Code and with all provisions of any notice, order, decision, permit, or regulation issued by the Code Official. Any act contrary to and any failure to comply with any provision or requirement of any notice, order, decision, permit, or regulation of the Code Official constitutes a violation of this Code.

109.6 Violation of notices, etc. — Action by Code Official. Whenever any person fails in any respect to fully comply any provision of any notice, order, decision, permit, or regulation issued under this Code, the Code Official may take any action necessary to eliminate or make safe any condition that violates this Code.

109.7 Citations for certain offenses. In accordance with City Code Article 1, Subtitle 40 {"Environmental Control Board"}, City Code Article 1, Subtitle 41 {"Civil Citations"}, or City

Code Article 19, Subtitle 71 {“Special Enforcement Officers”}, a prepayable citation may be issued to the owner, agent, or person responsible for the operation or in charge of any occupancy that fails to comply with:

- a. § 110.1 {“Unsafe Buildings: General”},
- b. § 1001.2 {“Means of Egress: Minimum Requirements”}, or
- c. § 1001.3 {“Means of Egress: Overcrowding”}.

(Ord. 03-595; Ord. 04-672.)

109.7.1 Each day a separate offense. Each day that a violation continues is a separate offense. A citation may be issued under this section any time that a violation is discovered, whether or not a prior citation has been issued for the same condition.

109.7.2 Permit revocation for repeat violators. If 3 citations are issued to the same person or operation within a 1-year period, the Code Official may revoke all permits issued by the Code Official to or for that person or operation and notify all appropriate City agencies of the revocation.

109.7.3 Procedure not exclusive. The issuance of a citation under this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law. (Ord. 03-595.)

SECTION 110 UNSAFE BUILDINGS

110.1 - 110.4 [As in IFC]

110.5 Fire hazards. Whenever the maintenance, operation, or use of all or part of any land, structure, material, or other object constitutes a fire hazard and the action to be taken to eliminate the hazard is not specifically provided for in this Code, the Code Official may take any action necessary to eliminate the hazard.

SECTION 111 STOP WORK Order [As in IFC]

SECTION 112 EMERGENCY MEASURES

112.1 General. In an emergency, where life or property is in immediate danger from any cause or thing covered or contemplated to be covered by this Code, the Code Official may immediately take any action necessary to protect against the danger, without complying with § 109.2 of this Code.

SECTION 113 COSTS

113.1 Owner’s liability for cost of actions. Whenever the Code Official takes action under this Code, all expenses incurred and fees imposed by the Code Official in avoiding, correcting, or removing a dangerous condition or in performing non-fire suppression services becomes a debt, jointly and severally owed to the City by every owner of the property on or in which the condition existed or the services performed.

113.2 When due; collection; lien. This debt becomes immediately due to the City when the work or operation is finished and may be collected in the same manner as any other debt due the City. In addition, when the work or operation is finished, a lien in favor of the City attaches to the premises on or in which the work or operation was done and continues until the City is paid the full amount owed.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. *[As in IFC]*

201.2 Interchangeability. *[As in IFC]*

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in the Baltimore City Building Code or in one or another of the standards and codes listed in § 101.4 of the Baltimore City Building Code, the term has the meaning given to it in that code or standard.

201.4 Terms not defined. *[As in IFC]*

SECTION 202 GENERAL DEFINITIONS

202.1 General. Except as specified in § 202.2, terms used in this Code and defined in the International Fire Code (2000 Edition) have the meanings given in the International Fire Code (2000 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Fire Code, the following terms have the meanings given in this § 202.2.

202.2.1 Code Official. “Code Official” means the Chief of the Baltimore City Fire Department or a duly authorized representative of the Chief.

202.2.2 May not, etc. “May not”, “must not”, and “no ... may” are each mandatory negative terms used to establish a prohibition.

202.2.3 Must/Shall. “Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

202.2.4 Person. “Person”:

- a. means any individual, sole proprietorship, corporation, firm, partnership, association, organization, joint venture, or other entity or group acting as a unit, executor, administrator, trustee, receiver, guardian, or other representative appointed by law, and
- b. whenever used in this Code with reference to liability or to the imposition of a penalty or fine, includes:

1. as to an unincorporated firm, partnership, association, organization, or joint venture, the partners or members of the firm, partnership, association, organization, or joint venture, and
2. as to a corporation, the officers, trustees, agents, or members of the corporation who are responsible for the violation of any relevant code provision.

CHAPTER 3 GENERAL PRECAUTIONS AGAINST FIRE

SECTIONS 301 TO 307 *[As in IFC]*

SECTION 308 OPEN FLAMES

308.1 - 308.4 *[As in IFC]*

308.5 Open-flame devices. *[As in IFC]*

308.5.1 - 308.5.2 *[As in IFC]*

308.5.3 LP gas prohibited in assembly areas. The storage or use of LP-gas containers of any size in any assembly building or in any assembly area of a building is prohibited.

308.5.3.1 Exception. Listed and approved butane-gas commercial food service appliances may be used inside restaurants and in attended commercial food catering operations as long as each of the following conditions is complied with:

- a. No appliance has more than two 10-oz. (296 ml) gas containers, with a maximum water capacity of 1.08 lb. (0.049 kg) per container, connected directly to it at any time.
- b. The containers are not manifold.
- c. All containers are listed and comply with UL 147B, “Standard for Non-Refillable (Disposable) Type Metal Container Assemblies for Butane”.
- d. Each container is an integral part of the listed and approved commercial food service appliance and is connected to the appliance without the use of a rubber hose.
- e. No more than 24 of these containers are stored in the building, with an additional 24 containers permitted to be stored in another storage area in the building if that other storage area is separated or contained by a minimum 2-hour fire wall.

SECTIONS 309 TO 315 *[As in IFC]*

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

SECTIONS 401 TO 404 *[As in IFC]*

SECTION 405 EMERGENCY EVACUATION DRILLS

405.1 General. Emergency evacuation drills must be conducted, as prescribed in this § 405, in the occupancies listed in § 404.2 or when required by the Code Official.

405.2 Frequency. *[As in IFC]*

405.2.1 Educational occupancies. Every educational occupancy for more than 50 persons must have at least 2 fire drills each year, to be arranged by and conducted under the supervision and direction of the Code Official.

405.2.2 High-rise buildings. Every high-rise building must have at least 1 fire drill each year, to be arranged by the owner or person responsible for the building, in coordination with the Code Official.

405.3 - 405.9 *[As in IFC]*

SECTIONS 406 TO 408 *[As in IFC]*

CHAPTER 5 FIRE SERVICE FEATURES

SECTIONS 501 TO 506 *[As in IFC]*

SECTION 507 HAZARDS TO FIRE FIGHTERS

507.1 Trapdoors to be closed. *[As in IFC]*

507.2 Shaftway markings. *[As in IFC]*

507.2.1 Exterior access to shaftways. *[As in IFC]*

507.2.2 Interior access to shaftways. *[As in IFC]*

507.2.3 Window guards. Windows in the exterior walls of shafts must be protected by vertical metal bars that are at least 5/8-inch in diameter and spaced no more than 10 inches apart, unless the sill of the window is less than 5 feet from a floor landing or the lowest tread below.

507.3 Pitfalls. *[As in IFC]*

SECTIONS 508 TO 510 *[As in IFC]*

SECTION 511 STRUCTURES ON PIERS

511.1 Definitions. In this section, “pier” means any pier, wharf, dock, bulkhead, breakwater, piles, or other similar structure.

511.2 General. Every structure that is constructed on a pier must comply with the requirements of this § 511 and all other applicable provisions of this Code and other law.

511.3 Chapter 28 of NFPA 1. The pier and structure must comply with Chapter 28 {“Marinas and Boatyards”} of NFPA 1, *Uniform Fire Code* (2003 edition), subject only to the following modification.

511.3.1 Flow tests. Flow tests must be conducted under Table 6.1 and § 6.3.1 of NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems* (2002 edition), annually (rather than, as there stated, “every 5 years”).

511.4 Pier material. The pier must be made of or encased by non-combustible materials. The structure on the pier must be of Type I, Type II, or Type III construction.

511.5 Sprinkler protection. The entire structure on the pier must be sprinklered.

511.6 Separation. The separation between structures on a pier must be at least 30 feet.

511.7 Standpipes and hydrants. Standpipes (Fire Department Connections) must be provided on the pier at least every 100 feet. Hydrants must be installed within 100 feet of a standpipe.

511.8 Emergency vehicle access. All piers with structures must provide access for emergency vehicles on the promenade, a road, or other appropriate space. This access must be designed and configured to accommodate fire, ambulance, and other emergency vehicles. Access for emergency vehicles must be provided to within at least 450 feet of the farthest edge of the structure. The fire lane must be at least 20 feet wide.

511.9 Fire boat access. Access for fire boats must be provided to within at least 50 feet of the farthest edge of the structure. The water depth of that access must be at least 10 feet (mean low water mark).

511.10 Tie-ups. Marina slips are prohibited within 30 feet of any structure on a pier. Transient (i.e., hourly or daily) tie-ups along a bulkhead are only allowed adjacent to commercial structures and no closer than 15 feet from the structure.

(Ord. 04-803.)

**CHAPTER 6
BUILDING SERVICES AND SYSTEMS**

SECTION 601 GENERAL [As in IFC]

SECTION 602 DEFINITIONS [As in IFC]

SECTION 603 FUEL-FIRED APPLIANCES

603.1 Installation. The installation of nonportable fuel gas appliances and systems must comply with the National Fuel Gas Code. The installation of all other fuel-fired appliances, other than internal combustion engines, oil lamps, and portable devices such as blow torches, melting pots, and weed burners, must comply with this section, NFPA 31, and the International Mechanical Code.

603.1.1 Manufacturer's instructions. *[As in IFC]*

603.1.2 Approval. The design, construction, and installation of fuel-fired appliances must be in accordance with the National Fuel Gas Code and the International Mechanical Code.

603.1.3 Electrical wiring and equipment. Electrical wiring and equipment used in connection with oil-burning equipment must be installed and maintained in accordance with § 605 and the National Electrical Code.

603.1.4 - 603.1.6 *[As in IFC]*

603.1.7 Clearances. Working clearances between oil-fired appliances and electrical panelboards and equipment must be in accordance with the National Electrical Code. Clearances between oil-fired equipment and oil supply tanks must be in accordance with NFPA 31.

603.2 Chimneys. *[As in IFC]*

603.3 Fuel oil storage systems. *[As in IFC]*

603.4 Small appliances. Except as otherwise expressly provided, the use of portable kerosene heaters, portable waste oil heaters, or other fuel-burning appliances for heating or cooking, cabinet LP-gas heaters, and unvented gas-fired space heaters is prohibited in Baltimore City.

603.4.1 Signs required. At any display by a retail merchant or distributor of an appliance described in § 603.4, the merchant or distributors must post the following notice:

Warning: The use of portable kerosene heaters, portable waste oil heaters, or other similar fuel-burning appliances for heating or cooking, cabinet LP-gas heaters, and unvented gas-fired space heaters is prohibited in Baltimore City.

The word "Warning" must be in red letters at least 4 inches high. All other lettering must be at least 3/8 inches high. The background of the sign must be white, with the wording in a contrasting color.

603.5 Heating appliances. *[As in IFC]*

603.5.1 Guard against contact. *[As in IFC]*

603.5.2 Heating appliance installation. Heating appliances must be installed in accordance with the manufacturer's instructions, the International Building Code, the international Mechanical Code, and the National Electrical Code.

603.6 Chimneys and appliances. *[As in IFC]*

603.7 Discontinuing operation of unsafe heating appliances. *[As in IFC]*

603.8 Incinerators. Commercial, industrial, and residential-type incinerators and chimneys must be constructed in accordance with the International Building Code, the international Mechanical Code, and the National Fuel Gas Code.

603.8.1 - 603.8.5 *[As in IFC]*

603.9 Gas meters. *[As in IFC]*

SECTION 604 EMERGENCY AND STANDBY POWER SYSTEMS

604.1 Installation. Emergency and standby power systems must be installed in accordance with the National Electrical Code, NFPA 110, and NFPA 111. Existing installations must be maintained in accordance with the original approval.

604.1.1 Stationary generators. *[As in IFC]*

604.2 - 604.5 *[As in IFC]*

SECTION 605 ELECTRICAL EQUIPMENT, WIRING, AND HAZARDS

605.1 Abatement of electrical hazards. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

605.2 Illumination. *[As in IFC]*

605.3 Working space and clearance. *[As in IFC]*

Exceptions:

(1) Where other dimensions are required or allowed by the National Electrical Code.

(2) *[As in IFC]*

605.3.1 Labeling. *[As in IFC]*

605.4 Multiplug adapters. Multiplug adapters, such as cube adapters, unfused plug strips, or any other device not complying with the National Electrical Code is prohibited.

605.4.1 - 605.4.3 *[As in IFC]*

605.5 - 605.8 *[As in IFC]*

605.9 Temporary wiring. Temporary wiring for electrical power and lighting installations is allowed only for a period of not more than 90 days. Temporary wiring methods must comply with the applicable provisions of the National Electrical Code.

Exception: *[As in IFC]*

605.9.1 Attachment to structures. *[As in IFC]*

SECTIONS 606 TO 609 *[As in IFC]*

CHAPTER 7
FIRE-RESISTENCE-RATED CONSTRUCTION
[As in IFC]

CHAPTER 8
INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS
[As in IFC]

CHAPTER 9
FIRE PROTECTION SYSTEMS

SECTION 901 GENERAL *[As in IFC]*

SECTION 902 DEFINITIONS *[As in IFC]*

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

903.1 General. *[As in IFC]*

903.2 Where required. *[As in IFC]*

903.3 Installation requirements. *[As in IFC]*

903.3.1 - 903.3.4 *[As in IFC]*

903.3.5 Water supplies. Water supplies for automatic sprinkler systems must comply with this section and the standards referenced in § 903.3.1. The potable water supply must be protected against backflow in accordance with the requirements of this section and the National Standard Plumbing Code.

903.3.5.1 Domestic services. *[As in IFC]*

903.3.5.2 Secondary water supply. *[As in IFC]*

903.3.6 Hose threads. *[As in IFC]*

903.3.7 Fire department connections. [As in IFC]**903.4 - 903.6 [As in IFC]****SECTION 904 ALTERNATIVE AUTOMATIC FIRE EXTINGUISHING SYSTEMS****904.1 General. [As in IFC]****904.2 Where required. [As in IFC]****904.2.1 Hood suppression system. [As in IFC]**

Exceptions: This section does not apply to:

- a. Completely enclosed ovens.
- b. Steam tables.
- c. Auxiliary cooking equipment that does not produce grease-laden vapor, including toasters, coffee makers, and egg cookers.
- d. Any self-contained cooking appliance that has its own suppression system, a self-contained exhaust system, and a nationally recognized listed testing agency approval.

904.3 Installation. [As in IFC]

904.3.1 Electrical wiring. Electrical wiring must be in accordance with the National Electrical Code.

904.3.2 - 904.3.5 [As in IFC]**904.4 - 904.11 [As in IFC]****SECTION 905 STANDPIPE SYSTEMS [As in IFC]****SECTION 906 PORTABLE FIRE EXTINGUISHERS****906.1 - 906.10 [As in IFC]**

906.11 Registration required. No person may represent him- or herself as a fire extinguisher repair person or engage in the business of recharging, testing, or installing fire extinguishers or fire extinguishing equipment unless that person is registered with the Code Official to do so. The Code Official may require a fee for the registration, which is renewable on an annual basis.

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS**907.1 General. [As in IFC]****907.2 Where required — new buildings and structures. [As in IFC]**

907.2.1 - 907.2.9 [As in IFC]**907.2.10 Single- and multiple-station smoke alarms. [As in IFC]****907.2.10.1 Where required. [As in IFC]****907.2.10.1.1 Group R-1. [As in IFC]****907.2.10.1.2 Groups R-2, R-3, R-4, and I-1. [As in IFC]**

907.2.10.1.2.1 Obligations of landlord and tenant. Except as otherwise provided in this § 907.2.10.1.2, the landlord is responsible for the installation and, on written notice by certified or registered mail, the repair or replacement of all required detectors. The tenant is responsible to inform the landlord, in the manner just described, of any smoke detector that becomes defective. A tenant may not remove or render a smoke detector inoperative.

907.2.10.1.2.2 Light signal for hearing impaired. The landlord must provide a smoke detector that is designed (and has been tested and certified by an approved testing laboratory) to alert persons with hearing impairments if the tenancy is occupied by a person who is hearing impaired and the tenant has asked for the detector in writing by certified or registered mail.

907.2.10.1.2.3 One-, two-, and three-family dwellings. An occupant of a 1-, 2-, or 3-family dwelling must:

- a. equip his or her own living unit with the number of detectors required by this § 907.2.10.1.2, each of which must be an approved battery- or AC primary electric-powered smoke detector, and
- b. maintain those smoke detectors according to manufacturer's guidelines.

907.2.10.1.3 Group I-1. [As in IFC]**907.2.10.1.4 Additions, alterations, or repairs to Group R. [As in IFC]****907.2.10.2 - 907.2.10.4 [As in IFC]****907.2.11 - 907.2.23 [As in IFC]****907.3 - 907.5 [As in IFC]**

907.6 Wiring. Wiring must comply with the requirements of the National Electrical Code and NFPA 72. Wireless protection systems that utilize radio-frequency transmitting devices must comply with the special requirements in NFPA 72 for supervision of low-power wireless systems.

907.7 - 907.20 [As in IFC]**SECTION 908 EMERGENCY ALARM SYSTEMS [As in IFC]**

SECTION 909 SMOKE CONTROL SYSTEMS

909.1 - 909.10 *[As in IFC]*

909.11 Powers systems. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

909.12 Detection and control systems. *[As in IFC]*

909.12.1 Wiring. In addition to meeting the requirements of the National Electrical Code, all wiring, regardless of voltage, must be fully enclosed within continuous raceways.

909.12.2 Activation. *[As in IFC]*

909.12.3 Automatic control. *[As in IFC]*

909.13 - 909.15 *[As in IFC]*

909.16 Fire-fighter’s smoke control panel. *[As in IFC]*

909.16.1 Smoke control systems. *[As in IFC]*

909.16.2 Smoke control panel. *[As in IFC]*

909.16.3 Control action and priorities. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

909.17 - 909.21 *[As in IFC]*

SECTION 910 SMOKE AND HEAT VENTS *[As in IFC]***SECTION 911 EXPLOSION CONTROL** *[As in IFC]***SECTION 912 FIRE DEPARTMENT CONNECTIONS**

912.1 - 912.4 *[As in IFC]*

912.5 Backflow protection. The potable water supply to automatic sprinkler and standby systems must be protected against backflow as required by the National Standard Plumbing Code.

912.6 Inspection, testing, and maintenance. *[As in IFC]*

SECTION 913 FIRE PUMPS *[As in IFC]*

CHAPTER 10 MEANS OF EGRESS

SECTION 1001 GENERAL

1001.1 Scope. *[As in IFC]*

Exception: *[Not Adopted]*

1001.2 Minimum requirements. *[As in IFC]*

1001.3 Overcrowding. A person may not permit overcrowding or admit any other person beyond the approved occupant load.

1001.3.1 Action by Code Official — When. The Code Official may take the action described in § 1001.3.2 whenever the Code Official finds:

- a. overcrowded conditions,
- b. obstruction in aisles, passageways, or other means of egress, or
- c. any other condition that constitutes a hazard to life and safety.

1001.3.2 Action by Code Official — What. In circumstances described in § 1001.3.1, the Code Official may:

- a. cause the occupancy, performance, presentation, spectacle, or entertainment to be stopped until the condition or obstruction is corrected, and
- b. prohibit the addition of any further occupants until the approved occupant load is reestablished.

SECTIONS 1002 TO 1011 *[As in IFC]*

CHAPTER 11 AVIATION FACILITIES

SECTIONS 1101 TO 1105 *[As in IFC]*

SECTION 1106 AIRCRAFT FUELING

1106.1 Aircraft motor vehicle fuel-dispensing stations. *[As in IFC]*

1106.2 Airport fuel systems. *[As in IFC]*

1106.3 Construction of aircraft-fueling vehicles and accessories. *[As in IFC]*

1106.3.1 - 1106.3.3 *[As in IFC]*

1106.3.4 Protection of electrical equipment. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

1106.3.5 - 1106.3.9 *[As in IFC]*

1106.4 - 1106.21 *[As in IFC]*

SECTION 1107 HELISTOPS AND HELIPORTS *[As in IFC]*

CHAPTER 12 DRY CLEANING

SECTIONS 1201 TO 1203 *[As in IFC]*

SECTION 1204 GENERAL REQUIREMENTS

1204.1 Prohibited use. *[As in IFC]*

1204.2 Building services. *[As in IFC]*

1204.2.1 Ventilation. *[As in IFC]*

1204.2.2 Heating. *[As in IFC]*

1204.2.3 Electrical wiring and equipment. Electrical wiring and equipment in dry cleaning rooms or other locations subject to flammable vapors must be installed in accordance with the National Electrical Code.

1204.2.4 Bonding and grounding. *[As in IFC]*

SECTIONS 1205 TO 1208 *[As in IFC]*

CHAPTER 13 COMBUSTIBLE DUST-PRODUCING OPERATIONS

SECTIONS 1301 TO 1303 *[As in IFC]*

SECTION 1304 EXPLOSION PROTECTION

1304.1 Standards. *[As in IFC]*

Table 1304.1 *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

CHAPTER 14

FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

SECTION 1401 GENERAL *[As in IFC]*

SECTION 1402 DEFINITIONS *[As in IFC]*

SECTION 1403 TEMPORARY HEATING EQUIPMENT

1403.1 Listed. Temporary heating devices must be listed and labeled in accordance with the International Mechanical Code and the National Fuel Gas Code. Installation, maintenance, and use of temporary heating devices must be in accordance with the terms of the listing.

1403.2 Oil-fired heaters. *[As in IFC]*

1403.3 LP-gas heaters. Fuel supplies for liquefied-petroleum gas-fired heaters must comply with NFPA 58 and the National Fuel Gas Code.
(Ord. 06-247.)

1403.4 - 1403.6 *[As in IFC]*

1403.7 Permit required. A permit from the Code Official is required for commercial portable heaters, including salamanders, and for other similar appliances or equipment used for temporary heating in structures under construction or undergoing renovation. This equipment must be maintained and operated in accordance with all applicable NFPA standards.

SECTION 1404 PRECAUTIONS AGAINST FIRE

1404.1 - 1404.6 *[As in IFC]*

1404.7 Electrical. Temporary wiring for electrical power and lighting installations used in connection with the construction, alteration, or demolition of buildings, structures, or equipment or in similar activities must comply with the National Electrical Code.

SECTIONS 1405 TO 1416 *[As in IFC]*

CHAPTER 15

FLAMMABLE FINISHES

SECTION 1501 GENERAL *[As in IFC]*

SECTION 1502 DEFINITIONS *[As in IFC]*

SECTION 1503 PROTECTION OF OPERATIONS

1503.1 General. *[As in IFC]*

1503.2 Sources of ignition. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

1503.3 Storage, use, and handling of flammable and combustible liquids. [As in IFC]

1503.4 Operations and maintenance. [As in IFC]

SECTION 1504 SPRAY FINISHING

1504.1 Location of spray-finishing operations. [As in IFC]

1504.1.1 - 1504.1.3 [As in IFC]

1504.1.4 Limited spraying spaces. [As in IFC]

1504.1.4.1 - 1504.1.4.3 [As in IFC]

1504.1.4.4 Electrical wiring. Electrical wiring within 10 feet (3048 mm) of the floor and 20 feet (6096 mm) horizontally of the limited spraying space must be designed for Class I, Division 2 locations in accordance with the National Electrical Code.

1504.2 - 1504.6 [As in IFC]

1504.7 Drying operations. [As in IFC]

1504.7.1 Spraying procedure. [As in IFC]

1504.7.2 Drying apparatus. [As in IFC]

1504.7.2.1 Interlocks. [As in IFC]

1504.7.2.2 Portable infrared apparatus. [Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]

1504.7.2.3 Sources of ignition. [As in IFC]

SECTIONS 1505 TO 1510 [As in IFC]

SECTION 1511 MANUFACTURING OF GLASS-FIBER-REINFORCED PLASTICS

1511.1 - 1511.3 [As in IFC]

1511.4 Sources of ignition in resin application areas. [As in IFC]

1511.4.1 Electrical wiring and equipment. [Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]

1511.4.2 Grounding of equipment. [As in IFC]

1511.4.3 Hot surfaces. [As in IFC]

1511.5 - 1511.8 [As in IFC]

CHAPTER 16

FRUIT AND CROP RIPENING

SECTIONS 1601 TO 1603 *[As in IFC]*

SECTION 1604 SOURCES OF IGNITION

1604.1 - 1604.4 *[As in IFC]*

1604.5 Heating. *[As in IFC]*

Exception: Electric or fuel-fired heaters approved for use in hazardous (classified) locations that are installed and operated in accordance with the applicable provisions of the National Electrical Code, the International Mechanical Code, or the National Fuel Gas Code.

SECTIONS 1605 TO 1607 *[As in IFC]*

CHAPTER 17

FUMIGATION AND THERMAL INSECTICIDAL FOGGING

SECTION 1701 GENERAL *[As in IFC]*

SECTION 1702 DEFINITIONS *[As in IFC]*

SECTION 1703 FIRE SAFETY REQUIREMENTS

1703.1 General. *[As in IFC]*

1703.2 Sources of ignition. *[As in IFC]*

1703.2.1 Electricity. *[As in IFC]*

Exception: Circulating fans that have been specifically designed for utilization in hazardous atmospheres and installed in accordance with the National Electrical Code.

1703.3 - 1703.7 *[As in IFC]*

1703.8 Sulfur candles prohibited. Except as specifically approved by the Code Official, the use of sulfur candles for fumigating private residences is prohibited.

CHAPTER 18

SEMICONDUCTOR FABRICATION FACILITIES

SECTION 1801 GENERAL *[As in IFC]*

SECTION 1802 DEFINITIONS *[As in IFC]*

SECTION 1803 GENERAL SAFETY PROVISIONS

1803.1 - 1803.6 *[As in IFC]*

1803.7 Electrical wiring and equipment. Electrical wiring and equipment in fabrication areas must comply with the National Electrical Code.

1803.7.1 Workstations. Electrical equipment and devices within 5 feet (1524 mm) of workstations in which flammable or pyrophoric gases or flammable liquids are used must comply with the National Electrical Code for Class I, Division 2 hazardous locations. Workstations may not be energized without adequate exhaust ventilation in accordance with § 1803.14.

Exception: *[As in IFC]*

1803.7.2 Hazardous production material (HPM) rooms, gas rooms, and liquid storage rooms. Electrical wiring and equipment in HPM rooms, gas rooms, and liquid storage rooms must comply with the National Electrical Code.

1803.8 - 1803.15 *[As in IFC]*

SECTION 1804 STORAGE *[As in IFC]***SECTION 1805 USE AND HANDLING** *[As in IFC]*

CHAPTER 19
LUMBER YARDS AND WOODWORKING FACILITIES

SECTION 1901 GENERAL *[As in IFC]***SECTION 1902 DEFINITIONS** *[As in IFC]***SECTION 1903 GENERAL REQUIREMENTS**

1903.1 - 1903.3 *[As in IFC]*

1903.4 Electrical wiring and equipment. Electrical wiring and equipment must comply with the National Electrical Code.

1903.5 - 1903.7 *[As in IFC]*

SECTIONS 1904 TO 1909 *[As in IFC]*

CHAPTER 20
MANUFACTURE OF ORGANIC COATINGS

SECTIONS 2001 TO 2003 *[As in IFC]*

SECTION 2004 ELECTRICAL EQUIPMENT AND PROTECTION

2004.1 Wiring and equipment. Electrical wiring and equipment must comply with this chapter and must be installed in accordance with the National Electrical Code.

2004.2 - 2004.4 *[As in IFC]*

SECTIONS 2005 TO 2009 *[As in IFC]*

**CHAPTER 21
INDUSTRIAL OVENS****SECTION 2101 GENERAL**

2101.1 Scope. This chapter applies to the installation and operation of industrial ovens and furnaces. Industrial ovens and furnaces must comply with the applicable provisions of NFPA 86, the National Fuel Gas Code, the International Mechanical Code, and this chapter. The terms “ovens” and “furnaces” are used interchangeably in this chapter.

2101.2 Permits. *[As in IFC]*

SECTION 2102 DEFINITIONS *[As in IFC]***SECTION 2103 LOCATION**

2103.1 Ventilation. Enclosed rooms or basements containing industrial ovens or furnaces must be provided with:

- a. combustion air in accordance with the International Mechanical Code and the National Fuel Gas Code, and
- b. ventilation air in accordance with the International Mechanical Code.

2103.2 - 2103.4 *[As in IFC]*

SECTION 2104 FUEL PIPING

2104.1 Fuel-gas piping. Fuel-gas piping that serve industrial ovens must comply with the National Fuel Gas Code. Piping for other fuel sources must comply with this section.

2104.2 Shutoff valves. Each industrial oven or furnace must be provided with an approved manual fuel shutoff valve in accordance with the International Mechanical Code or the National Fuel Gas Code.

2104.2.1 Fuel supply lines. *[As in IFC]*

2104.3 Valve position. *[As in IFC]*

SECTIONS 2105 TO 2107 [As in IFC]**CHAPTER 22
SERVICE STATIONS AND REPAIR GARAGES****SECTION 2201 GENERAL**

2201.1 Scope. Automotive service stations, marine service stations, fleet vehicle service stations, and repair garages must be in accordance with this chapter and the National Fuel Gas Code, International Building Code, and the International Mechanical Code. These operations include both public accessible and private operations.

2201.2 - 2201.4 [As in IFC]

2201.5 Electrical. Electrical wiring and equipment must be suitable for the locations in which they are installed and must comply with § 605 of this Code, NFPA 30A, and the National Electrical Code.

2201.6 Heat-producing appliances. Heat-producing appliances must be suitable for the locations in which they are installed and must comply with NFPA 30A and either the International Mechanical Code or the National Fuel Gas Code.

SECTIONS 2202 TO 2204 [As in IFC]**SECTION 2205 OPERATIONAL REQUIREMENTS****2205.1 - 2205.3 [As in IFC]**

2205.4 Sources of ignition. Smoking and open flames are prohibited in areas where fuel is dispensed. The engines of vehicles being fueled must be shut off during fueling. Electrical equipment must be in accordance with the National Electrical Code.

2205.5 - 2205.7 [As in IFC]**SECTION 2206 FLAMMABLE AND COMBUSTIBLE LIQUIDS [As in IFC]****SECTION 2207 LIQUEFIED PETROLEUM GAS MOTOR-VEHICLE FUEL-DISPENSING STATIONS [As in IFC]****SECTION 2208 COMPRESSED NATURAL GAS MOTOR-VEHICLE FUEL-DISPENSING STATIONS****2208.1 - 2208.7 [As in IFC]****2208.8 Discharge of CNG from motor vehicle fuel storage containers. [As in IFC]****2208.8.1 Methods of discharge. [As in IFC]****2208.8.1.1 Closed transfer system. [As in IFC]**

2208.8.1.2 Atmospheric venting. [As in IFC]**2208.8.1.2.1 - 2208.8.1.2.3 [As in IFC]**

2208.8.1.2.4 Grounding and bonding. The structure or appurtenance used for supporting the cylinder must be grounded in accordance with the National Electrical Code. The cylinder valve must be bonded before venting operations begin.

2208.8.1.2.5 - 2208.8.1.2.6 [As in IFC]**SECTION 2209 MARINE SERVICE STATIONS****2209.1 - 2209.5 [As in IFC]**

2209.6 Fire protection. Fire protection features for marine service stations must comply with § 2209.6.1 through § 2209.6.5.

2209.6.1 - 2209.6.4 [As in IFC]

2209.6.5 Compliance with NFPA 303-95. All marinas, both new and existing, must comply with NFPA 303-95. For this purpose, Exception No. 1 in § 4-4.1 is amended to read as follows: “Covered slips less than 5,000 square feet in total area”.

SECTION 2210 REPAIR GARAGES**2210.1 General. [As in IFC]****2210.2 Storage and use of flammable and combustible liquids. [As in IFC]****2210.2.1 Cleaning of parts. [As in IFC]****2210.2.2 Waste oil, motor oil, and other Class IIIB liquids. [As in IFC]**

2210.2.3 Drainage and disposal of liquids and oil-soaked waste. *[Substitute “National Standard Plumbing Code” for “International Plumbing Code”. Otherwise, as in IFC.]*

2210.2.4 Spray finishing. [As in IFC]

2210.3 Sources of ignition. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

2210.4 - 2210.7 [As in IFC]

CHAPTER 23
HIGH-PILED COMBUSTIBLE STORAGE
[As in IFC]

CHAPTER 24
TENTS AND OTHER MEMBRANE STRUCTURES

SECTIONS 2401 TO 2409 *[As in IFC]*

SECTION 2410 MEANS OF EGRESS

2410.1 - 2410.5 *[As in IFC]*

2410.6 Exit signs. *[As in IFC]*

2410.6.1 Exit sign illumination. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

2410.7 - 2410.8 *[As in IFC]*

SECTION 2411 HEATING AND COOKING EQUIPMENT

2411.1 Installation. Heating or cooking equipment, tanks, piping, hoses, fittings, valves, tubing, and other related components must be installed as specified in the International Mechanical Code and the National Fuel Gas Code, and must be approved by the Code Official.

2411.2 Venting. *[Substitute “National Fuel Gas Code” for “International Fuel Gas Code”. Otherwise, as in IFC.]*

2411.3 - 2411.6 *[As in IFC]*

2411.7 Electrical heating and cooking equipment. Electrical heating and cooking equipment must comply with the National Electrical Code.

SECTION 2412 LP-GAS

2412.1 General. LP-gas equipment, such as tanks, piping, hoses, fittings, valves, tubing, and other related components, must be in accordance with the National Fuel Gas Code and Chapter 38 of this Code and must be approved by the Code Official.

2412.2 - 2412.3 *[As in IFC]*

SECTIONS 2413 TO 2417 *[As in IFC]*

CHAPTER 25
TIRE REBUILDING AND TIRE STORAGE
[As in IFC]

CHAPTER 26 WELDING AND OTHER HOT WORK

SECTIONS 2601 TO 2605 *[As in IFC]*

SECTION 2606 ELECTRIC ARC HOT WORK

2606.1 - 2606.3 *[As in IFC]*

2606.4 Emergency disconnect. A switch or circuit breaker must be provided so that fixed electric welders and control equipment can be disconnected from the supply circuit. The disconnect must be installed in accordance with the National Electrical Code.

2606.5 Damaged cable. *[As in IFC]*

SECTIONS 2607 TO 2609 *[As in IFC]*

CHAPTER 27 HAZARDOUS MATERIALS – GENERAL PROVISIONS

SECTION 2701 GENERAL *[As in IFC]*

SECTION 2702 DEFINITIONS *[As in IFC]*

SECTION 2703 GENERAL REQUIREMENTS

2703.1 - 2703.6 *[As in IFC]*

2703.7 Sources of ignition *[As in IFC]*

2703.7.1 Smoking. *[As in IFC]*

2703.7.2 Open flames. *[As in IFC]*

2703.7.3 Industrial trucks. Powered industrial trucks used in areas designated as hazardous (classified) locations in accordance with the National Electrical Code must be listed and labeled for use in the intended environment in accordance with NFPA 505.

2703.8 Construction requirements. *[As in IFC]*

2703.8.1 - 2703.8.5 *[As in IFC]*

2703.8.6 Hazardous materials storage cabinets. *[As in IFC]*

2703.8.6.1 Construction. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

2703.8.6.2 Warning markings. *[As in IFC]*

2703.9 General safety precautions. [As in IFC]**2703.9.1 - 2703.9.3 [As in IFC]**

2703.9.4 Electrical wiring and equipment. Electrical wiring and equipment must be installed and maintained in accordance with the National Electrical Code.

2703.9.5 - 2703.9.9 [As in IFC]**2703.10 - 2703.12 [As in IFC]****SECTION 2704 STORAGE****2704.1 Scope. [As in IFC]****2704.2 Spill control and secondary containment for hazardous materials. [As in IFC]****2704.2.1 Spill control for hazardous material liquids. [As in IFC]****2704.2.2 Secondary containment for hazardous material liquids and solids. [As in IFC]****2704.2.2.1 - 2704.2.2.5 [As in IFC]**

2704.2.2.6 Drainage system design. Drainage systems must be in accordance with the National Standard Plumbing Code and all of the following:

1. - 6. *[As in IFC]*

2704.2.3 Containment pallets. [As in IFC]**2704.3 - 2704.14 [As in IFC]****SECTION 2705 USE, DISPENSING, AND HANDLING [As in IFC]****CHAPTER 28
AEROSOLS
[As in IFC]****CHAPTER 29
COMBUSTIBLE FIBERS
[As in IFC]**

**CHAPTER 30
COMPRESSED GASES**

SECTION 3001 GENERAL

3001.1 Scope. *[Substitute “National Fuel Gas Code” for “International Fuel Gas Code”. Otherwise, as in IFC.]*

3001.2 Permits. *[As in IFC]*

SECTION 3002 DEFINITIONS *[As in IFC]*

SECTION 3003 GENERAL REQUIREMENTS

3003.1 - 3003.4 *[As in IFC]*

3003.5 Separation from hazardous conditions. *[As in IFC]*

3003.5.1 - 3003.5.5 *[As in IFC]*

3003.5.6 Heating. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

3003.5.7 - 3003.5.8 *[As in IFC]*

3003.6 Wiring and equipment. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

3003.7 - 3003.13 *[As in IFC]*

SECTIONS 3004 TO 3006 *[As in IFC]*

**CHAPTER 31
CORROSIVE MATERIALS
*[As in IFC]***

**CHAPTER 32
CRYOGENIC FLUIDS**

SECTION 3201 GENERAL *[As in IFC]*

SECTION 3202 DEFINITIONS *[As in IFC]*

SECTION 3203 GENERAL REQUIREMENTS

3203.1 - 3203.6 *[As in IFC]*

3203.7 Electrical wiring and equipment. Electrical wiring and equipment must comply with the National Electrical Code and §§ 3203.7.1 and 3203.7.2 of this Code.

3203.7.1 Location. *[As in IFC]*

3203.7.2 Electrical grounding and bonding. *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

3203.8 - 3203.11 *[As in IFC]*

SECTION 3204 STORAGE *[As in IFC]*

SECTION 3205 USE AND HANDLING *[As in IFC]*

CHAPTER 33
EXPLOSIVES AND FIREWORKS
[As in IFC]

CHAPTER 34
FLAMMABLE AND COMBUSTIBLE LIQUIDS

SECTION 3401 GENERAL *[As in IFC]*

SECTION 3402 DEFINITIONS *[As in IFC]*

SECTION 3403 GENERAL REQUIREMENTS

3403.1 Electrical. Electrical wiring and equipment must be installed and maintained in accordance with the National Electrical Code.

3403.1.1 Classified locations for flammable liquids. *[As in IFC]*

Table 3403.1.1 *[Substitute “National Electrical Code” for “ICC Electrical Code”. Otherwise, as in IFC.]*

3403.1.2 Classified locations for combustible liquids. *[As in IFC]*

3403.1.3 Other applications. The Code Official is authorized to determine the extent of the Class I electrical equipment and wiring location when a condition is not specifically covered by these requirements or the National Electrical Code.

3403.2 - 3403.6 *[As in IFC]*

SECTION 3404 STORAGE**3404.1 General.** *[As in IFC]***3404.2 Tank storage.** *[As in IFC]***3404.2.1 - 3404.2.7** *[As in IFC]***3404.2.8 Vaults.** *[As in IFC]***3404.2.8.1 - 3404.2.8.11** *[As in IFC]*

3404.2.8.12 Liquid removal. Means must be provided to remove liquid from the vault. Where a pump is used to meet this requirement, the pump may not be permanently installed in the vault. Electric-powered portable pumps are suitable for use in Class I, Division 1 locations, as defined in the National Electrical Code.

3404.2.8.13 - 3404.2.8.16 *[As in IFC]*

3404.2.8.17 Classified area. The interior of a vault containing a tank that stores a Class I liquid is designated a Class I, Division 1 location, as defined in the National Electrical Code.

3404.2.8.18 Overfill protection. *[As in IFC]***3404.2.9 - 3404.2.14** *[As in IFC]***3404.3 - 3404.4** *[As in IFC]***SECTION 3405 DISPENSING, USE, MIXING, AND HANDLING** *[As in IFC]***SECTION 3406 SPECIAL OPERATIONS****3406.1 General.** *[As in IFC]***3406.2 Storage and dispensing of flammable and combustible liquids on farms and construction sites.** *[As in IFC]***3406.2.1 - 3406.2.7** *[As in IFC]*

3406.2.8 Dispensing from tank vehicles. Where approved, liquids used as fuels are allowed to be transferred from tank vehicles into the tanks of motor vehicles or special equipment, provided:

1 - 5. *[As in IFC]*

6. Electrical devices and wiring in areas where fuel dispensing is conducted are in accordance with the National Electrical Code.

7 - 8. *[As in IFC]*

3406.2.8.1 Location. *[As in IFC]***3406.3 - 3406.8** *[As in IFC]***CHAPTER 35
FLAMMABLE GASES****SECTION 3501 GENERAL****3501.1 Scope.** *[As in IFC]***Exceptions:**

1. - 2. *[As in IFC]*

3. Fuel gas systems and appliances regulated under the National Fuel Gas Code.

3501.2 Permits. *[As in IFC]***SECTIONS 3502 TO 3505** *[As in IFC]***CHAPTER 36
FLAMMABLE SOLIDS****SECTIONS 3601 TO 3605** *[As in IFC]***SECTION 3606 MAGNESIUM****3606.1 - 3606.4** *[As in IFC]***3606.5 Use of magnesium.** *[As in IFC]***3606.5.1 - 3606.5.4** *[As in IFC]*

3606.5.5 Electrical equipment. Electric wiring, fixtures, and equipment in the immediate vicinity of and attached to dust-producing machines, including those used in connection with separator equipment, must be of approved types and must be approved for use in Class II, Division 1 hazardous locations in accordance with the National Electrical Code.

3606.5.6 Grounding. Equipment must be securely grounded by permanent ground wires in accordance with the National Electrical Code.

3606.5.7 - 3606.5.8 *[As in IFC]*

CHAPTER 37
HIGHLY TOXIC AND TOXIC MATERIALS

SECTION 3701 GENERAL *[As in IFC]*

SECTION 3702 DEFINITIONS *[As in IFC]*

SECTION 3703 HIGHLY TOXIC AND TOXIC SOLIDS AND LIQUIDS *[As in IFC]*

SECTION 3704 HIGHLY TOXIC AND TOXIC COMPRESSED GASES

3704.1 General. *[As in IFC]*

3704.2 Indoor storage and use. *[As in IFC]*

3704.2.1 Applicability *[As in IFC]*

3704.2.2 General indoor requirements. *[As in IFC]*

3704.2.2.1 - 3704.2.2.7 *[As in IFC]*

3704.2.2.8 Emergency power. Emergency power in accordance with the National Electrical Code must be provided in lieu of standby power where any of the following systems are required:

1 - 7. *[As in IFC]*

Exception: *[As in IFC]*

3704.2.2.9 - 3704.2.2.10 *[As in IFC]*

3704.3 Outdoor storage and use. *[As in IFC]*

SECTION 3705 OZONE GAS GENERATORS *[As in IFC]*

CHAPTER 38
LIQUEFIED PETROLEUM GASES

SECTION 3801 GENERAL *[As in IFC]*

SECTION 3802 DEFINITIONS *[As in IFC]*

SECTION 3803 INSTALLATION OF EQUIPMENT

3803.1 General. Liquefied petroleum gas equipment must be installed in accordance with the National Fuel Gas Code and NFPA 58, except as otherwise provided in this chapter.
(*Ord. 06-247.*)

3803.2 Use of LP-gas containers in buildings. *[As in IFC]*

3803.2.1 Portable containers. [As in IFC]**3803.2.1.1 - 3803.2.1.6 [As in IFC]**

3803.2.1.7 Use for food preparation. Where approved, listed LP-gas commercial food service appliances are allowed to be used for food preparation within restaurants and in attended commercial food-catering operations in accordance with the National Fuel Gas Code, the International Mechanical Code, and NFPA 58.

3803.2.2 Industrial vehicles and floor maintenance machines. [As in IFC]

3803.3 Location of equipment and piping. Equipment and piping may not be installed in locations where prohibited by the National Fuel Gas Code.

SECTIONS 3804 TO 3811 [As in IFC]

CHAPTER 39
ORGANIC PEROXIDES
[As in IFC]

CHAPTER 40
OXIDIZERS
[As in IFC]

CHAPTER 41
PYROPHORIC MATERIALS
[As in IFC]

CHAPTER 42
PYROXYLIN (CELLULOSE NITRATE) PLASTICS
[As in IFC]

CHAPTER 43
UNSTABLE (REACTIVE) MATERIALS
[As in IFC]

CHAPTER 44
WATER-REACTIVE SOLIDS AND LIQUIDS
[As in IFC]

CHAPTER 45

REFERENCED STANDARDS

SECTION 4501 GENERAL

4501.1 Scope. This Chapter 45 lists the standards that are referred to in various sections of this Code. The standards are listed by the promulgating entity, the standard identification, the effective date and title, and the section(s) of this Code that refer to the standard. The application of these standards is as specified in § 102.6 of this Code.

4501.2 City modifications. The following substitutions should be made in the standards listed:

1. For ICC Electrical Code,
substitute **National Electrical Code (1999 Edition)**.
2. For International Fuel Gas Code,
substitute **National Fuel Gas Code (1999 Edition)**.
3. For International Plumbing Code,
substitute **National Standard Plumbing Code (2000 Edition, 2001 Supplement)**.

(Ord. 04-672.)

PART IX
INTERNATIONAL ENERGY CONSERVATION CODE

§ 9-101. City adoption.

(a) *In general.*

The International Energy Conservation Code (2000 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part IX.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part IX refer to the chapter and section numbers of the International Energy Conservation Code.

§ 9-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

CHAPTER 1
ADMINISTRATION AND ENFORCEMENT
[As in IECC]

CHAPTER 2
DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. *[As in IECC]*

201.2 Interchangeability. *[As in IECC]*

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in the Baltimore City Building Code or in one or another of the standards and codes listed in § 101.4 of the Baltimore City Building Code, the term has the meaning given to it in that code or standard.

201.4 Terms not defined. *[As in IECC]*

SECTION 202 GENERAL DEFINITIONS *[As in IECC]*

CHAPTER 3
DESIGN CONDITIONS
[As in IECC]

CHAPTER 4
RESIDENTIAL BUILDING DESIGN BY SYSTEMS ANALYSIS, ETC.
[As in IECC]

CHAPTER 5
RESIDENTIAL BUILDING DESIGN BY COMPONENT PERFORMANCE APPROACH
[As in IECC]

CHAPTER 6
SIMPLIFIED PRESCRIPTIVE REQUIREMENTS FOR [CERTAIN] RESIDENTIAL BUILDINGS
[As in IECC]

CHAPTER 7
BUILDING DESIGN FOR ALL COMMERCIAL BUILDINGS
[As in IECC]

CHAPTER 8
DESIGN BY ACCEPTABLE PRACTICE FOR COMMERCIAL BUILDINGS
[As in IECC]

CHAPTER 9
REFERENCED STANDARDS

SECTION 901 GENERAL

901.1 Scope. This Chapter 9 lists the standards that are referred to in various sections of this Code. The standards are listed by the promulgating entity, the standard identification, the effective date and title, and the section(s) of this Code that refer to the standard. The application of these standards is as specified in § 107 of this Code.

901.2 City modifications. The following substitutions should be made in the standards listed:

1. For ICC Electrical Code,
substitute **National Electrical Code (1999 Edition)**.
2. For International Fuel Gas Code,
substitute **National Fuel Gas Code (1999 Edition)**.
3. For International Plumbing Code,
substitute **National Standard Plumbing Code (2000 Edition, 2001 Supplement)**.

(Ord. 04-672.)